

**DIRECTORS' MEETING  
MONDAY, JUNE 12, 2006  
COUNTY-CITY BUILDING, ROOM 113**

**I. MAYOR**

1. NEWS RELEASE - Public Invited to Anniversary Event at the Veterans Memorial Garden.
2. NEW RELEASE - City's Safety Program Recognized.

**II. DIRECTORS**

**FINANCE DEPARTMENT**

1. Investment Report for quarter ending February 28, 2006:
  - (a) Memo from Finance Director,
  - (b) City of Lincoln Investment Quarterly Report data, and
  - (c) City of Lincoln Investment Portfolio Composition graph.

**HEALTH DEPARTMENT**

**PLANNING DEPARTMENT**

1. Response to Tim K. Johnson's email regarding complete sewage plant cost benefit analysis.
2. Response to Jackie Barnhardt's email regarding possible sewage treatment plant near Wilderness Park.
3. Response to Neil M. Engstrom's email re: Opposition to water treatment site near Wilderness Park.
4. Invitation to Groundbreaking of the Jamaica North Trail crossing Old Cheney.

**PUBLIC WORKS**

1. Email and article from Nicole Fleck-Tooze re: Article co-authored by Devin Biesecker, Engineer in Public Works/Watershed Management on Stormwater - "Drainage Improvement Prioritization in Lincoln, NE".
2. Memo with article from Karl Fredrickson re: Obligations the Public Works and Utilities Department administers on the City's National Pollutant Discharge Elimination System permit with the small staff involved.

**PUBLIC WORKS - ENGINEERING**

1. ADVISORY - Water Capital Improvement Project 700273. 11<sup>th</sup> Street; "L" - Lincoln Mall.
2. Memorandum from Randy Hoskins, City Traffic Engineer, re: Prairie Village North.

**III. CITY CLERK**

**IV. COUNCIL REQUESTS/CORRESPONDENCE**

## **V. MISCELLANEOUS**

### **Correspondence Received on Proposal to Build Sewage Treatment Plant**

1. Email from Tim K. Johnson re: Possible cost benefit analysis to be completed.
2. Email from Rosemary Thornton re: Proposal to build sewage treatment plant.
3. Email from Jackie Barnhardt re: Land to build a sewage treatment plant.
4. Email from Neil M. Engstrom re: Vote no to building by Wilderness Park.
5. Email from Amber Mohr re: Reconsider plant by Wilderness Park.
6. Email from Dan Lutz re: Consideration of cost benefit analysis and environmental effects before voting.
7. Email from Rebecca Williams re: Need thorough report on proposed sewage plant by Wilderness Park before vote.

### **Miscellaneous Continued**

1. Email from Zemis Sedriks re: Opposed to Change of Zone #06012, 9th/10th and Van Dorn Streets. (Email distributed to Council Members before 06/05/06 meeting)
2. Email from Donald F. Burt of Cline, Williams, Wright, Johnson and Oldfather re: Support B&J Partnership development of the South 2700 blocks of 9<sup>th</sup> and 10<sup>th</sup> Streets. (Email distributed to Council Members before 06/05/06 meeting)
3. Correspondence from Glenn A. Friendt re: What's Right About Wal-Mart.
4. Letter from Jennifer Sheaff re: Opposed to Southwest Village development, mainly the three big box stores proposed for Highway 77.
5. Letter from Ron Davis re: Meeting this City's future transportation needs.
6. Email from Larry Zink re: Increase funding in current CIP for sidewalk repairs.

## **VI. ADJOURNMENT**



# NEWS RELEASE

MAYOR COLEEN J. SENG

[lincoln.ne.gov](http://lincoln.ne.gov)

## OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

**FOR IMMEDIATE RELEASE:** June 8, 2006

**FOR MORE INFORMATION:** Diane Gonzolas, Citizen Information Center, 441-7831

Keith Fickenscher, Veterans Memorial Garden, 420-2997

### PUBLIC INVITED TO ANNIVERSARY EVENT AT THE VETERANS MEMORIAL GARDEN

Mayor Coleen J. Seng today invited Lincoln area residents to observe the 17th anniversary of the Veterans Memorial Garden in Antelope Park at a ceremony at 10 a.m. Saturday, June 10. The event will be held at the Antelope Park Bandshell.

"In the 17 years since the veterans created this garden, it has become a very beautiful and special place for veterans, their families and the entire community," said Mayor Seng. "We can take great pride in the fact that Lincoln has this memorial garden to honor veterans of every branch of military service who have given so much to our nation."

In addition to remarks from Mayor Seng, the ceremony will include an address from State Adjutant General Roger Lempke of the Nebraska National Guard; the ringing of the Nebraska Liberty Bell; music from singer Zuri and the Lincoln Fire and Rescue Pipe and Drum Corp; a recognition of Gold Star families; a 21-gun salute; and the dedication of 155 new memorial bricks.

In case of rain, the event will be held in the Auld Recreation Center at Antelope Park.

For more information on the event, contact Keith Fickenscher of the Mayor's Advisory Committee for the Veterans Memorial Garden at 420-2997.



# NEWS RELEASE

MAYOR COLEEN J. SENG

[lincoln.ne.gov](http://lincoln.ne.gov)

## OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

**FOR IMMEDIATE RELEASE:** June 8, 2006

**FOR MORE INFORMATION:** Diane Gonzolas, Citizen Information Center, 441-7831  
Bill Kostner, Risk Management, 441-6009

### CITY'S SAFETY PROGRAM RECOGNIZED

The City of Lincoln received an Award of Honor with Distinction from the National Safety Council May 18 for superior achievement in its workplace safety program. City Risk Manager Bill Kostner said the award is a strong indication that the City's safety programs are working and that employees are benefitting from a commitment to these programs.

"Safety is every employee's responsibility," said Mayor Coleen J. Seng. "By working together, we can prevent the needless injuries and accidents that result from unsafe acts and conditions."

The City has received the award eight consecutive years. Kostner said the award is based on workplace safety efforts over the past year, including injury history reports; training; the adoption of Class II safety vests for employees working in or near traffic; a review of employee injuries at the departmental level; and the adoption of a special work permit for those doing cutting, welding or soldering activities.

For additional information regarding workplace safety, visit the City Web site at [lincoln.ne.gov](http://lincoln.ne.gov) (keyword: risk).



TO: HONORABLE CITY COUNCIL

FROM: FINANCE DIRECTOR

DATE: FEBRUARY 28, 2006

SUBJECT: CITY OF LINCOLN'S INVESTMENT ACTIVITY REPORT FOR THE  
SECOND QUARTER, FISCAL YEAR 2005-06

### **RECOMMENDATION**

It is recommended that the City Council accept the City Treasurer's Investment Report for the quarter ending, February 28, 2006.

### **BACKGROUND**

The purpose of this report is to inform Council of the status of the City's investment portfolio for the quarter ending, February 28, 2006. The City's investment policy requires that staff report quarterly to Council on the City's portfolio performance, description of securities, recent market conditions, investment strategies employed and other areas of policy concern warranting possible revisions to the current or planned investment strategies. This report excludes the Police and Fire Pension fund as the Police and Fire Pension Administrator report that fund separately.

### **DISCUSSION**

#### **Investment Portfolio for the Quarter**

The City's investment portfolio is listed and displayed in a graph in the Attachment.

The par value of the City's portfolio is \$226.4 million. In comparison, last quarter it was \$238.8 million. The portfolio consists of \$51.8 million in liquid accounts; \$158.6 million is U.S. government treasury and agency securities and \$16.0 in Inter-Fund Investments. The \$158.6 million includes \$101.7 million in investments maturing in less than two years, comprising 64.15% of the City's investments in notes and securities. The average life to maturity of the investment portfolio is 1.95 years.

#### **Investment Yields**

During the quarter, the City's portfolio earned an average yield of 3.4591%. This compares to an average yield earned of 3.3829% for the quarter ending November 30, 2005.

As of February 28, 2006, the yield to maturity of the City's Short-Term portfolio was 4.2608%. This compares to a yield of 4.425% of a 28-day U.S. Treasury Bill with a issue date of February 23, 2006. The City's Medium Term Pool portfolio yield of 3.1965% compares to 4.689% yield for a 2-year U.S. Treasury Bond issued February 28, 2006.

#### **Yield Trends**

The Federal Open Market Committee (FOMC) has increased the federal funds overnight lending rate twice, for a total of 50 basis points, during the quarter. As of the quarter end, the rate was 4.5%.

Taken from the January 31, 2006 Federal Reserve Press Release:

*Although recent economic data have been uneven, the expansion in economic activity appears solid. Core inflation has stayed relatively low in recent months and longer-term inflation expectations remain contained. Nevertheless, possible increases in resource utilization as well as elevated energy prices have the potential to add to inflation pressures.*

*The Committee judges that some further policy firming may be needed to keep the risks to the attainment of both sustainable economic growth and price stability roughly in balance. In any event, the Committee will respond to changes in economic prospects as needed to foster these objectives.*

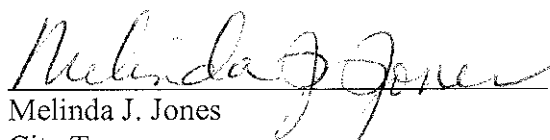
Outlook\*

Intermediate and long-term rates reflect the view that the pace of economic growth will moderate in coming months, but warning signs on the inflation front could keep the Fed in a tightening mode for several months, with the overnight rate moving to 5% by late Spring.

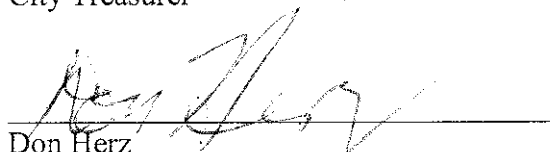
Funds Held by the City

Attachment A is a consolidated report of all City investments. At February 28, 2006, the investments held in the City's pooled portfolio were not in compliance with the investment policy with respects to the portfolio composition. The City's Investment Policy, approved in January 2005, limits the security types, issuers and maturities that the pool may hold. The Pool had 49.19% of the portfolio investments in Federal Home Loan Bank (FHLB) instruments. The policy allows 40% of available funds to be invested in this type of issuer. These investments were purchased prior to the approval of the City's Investment Policy. The City has elected to hold these investments and adjust the portfolio composition as investments mature instead of taking a risk of selling off investments at a loss in order to align the composition of the portfolio.

Prepared By:

  
Melinda J. Jones  
City Treasurer

Department Head Approval:

  
Don Herz  
Finance Director

ATTACHMENTS:

- A) Investment Portfolio Composition, February 28, 2006

\* Provided by PFM Asset Management LLC, Monthly Market Update and Outlook, February 2006.

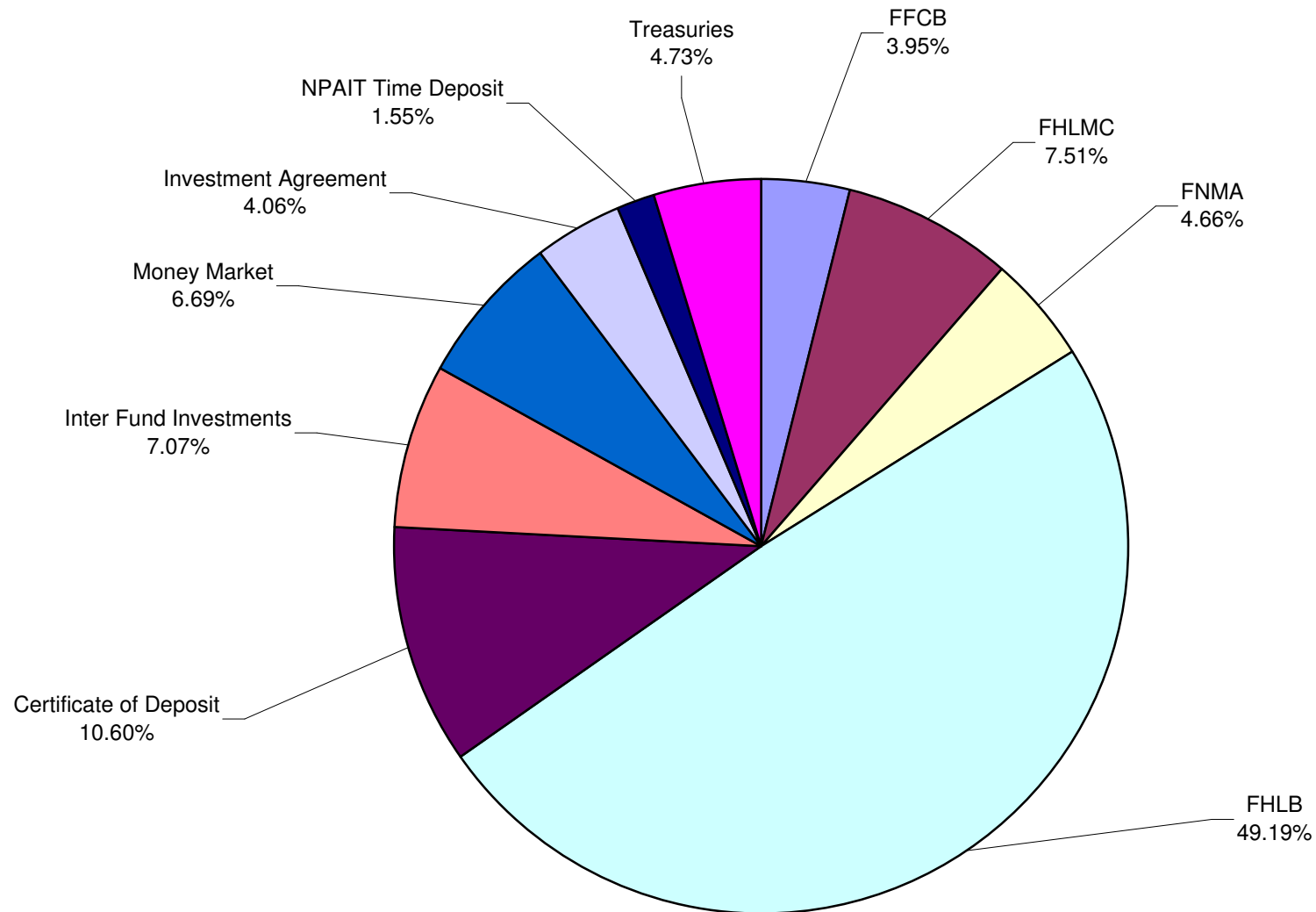
**City of Lincoln**  
**Investment Quarterly Report**  
As of February 28, 2006

	<b>Security Description</b>	<b>Coupon Rate</b>	<b>Yield Maturity</b>	<b>Purchase Date</b>	<b>Maturity Date</b>	<b>Ending Book Value</b>	<b>Ending Par Value</b>
Certificate of Deposit	Certificate of Deposit 4.43 03/09/06	4.430	4.4300	01/23/06	03/09/06	3,000,000.00	3,000,000.00
	Certificate of Deposit 4.47 03/16/06	4.470	4.4700	01/26/06	03/16/06	2,500,000.00	2,500,000.00
	Certificate of Deposit 4.53 03/16/06	4.530	4.5300	02/17/06	03/16/06	2,500,000.00	2,500,000.00
	Certificate of Deposit 4.53 03/23/06	4.530	4.5300	02/17/06	03/23/06	3,000,000.00	3,000,000.00
	Certificate of Deposit 3.76 03/23/06	3.760	3.7600	03/23/05	03/23/06	2,000,000.00	2,000,000.00
	Certificate of Deposit 3.76 03/24/06	3.760	3.7600	03/24/05	03/24/06	2,000,000.00	2,000,000.00
	Certificate of Deposit 4.48 03/30/06	4.480	4.4800	02/22/06	03/30/06	5,000,000.00	5,000,000.00
	Certificate of Deposit 2.72 04/05/06	2.720	2.7200	04/05/05	04/05/06	2,000,000.00	2,000,000.00
	Certificate of Deposit 3.21 08/22/06	3.210	3.2100	08/22/05	08/22/06	2,000,000.00	2,000,000.00
	<b>Certificate of Deposit Total</b>	<b>4.112</b>	<b>4.1117</b>			<b>24,000,000.00</b>	<b>24,000,000.00</b>
FFCB	FFCB 3.02 11/24/06	3.020	3.0200	05/24/04	11/24/06	2,000,000.00	2,000,000.00
	FFCB 2.44 03/09/07	2.440	2.4400	06/09/03	03/09/07	2,000,000.00	2,000,000.00
	FFCB 3.05 10/29/07	3.050	3.2405	04/30/04	10/29/07	1,994,062.75	2,000,000.00
	FFCB 3.64 04/23/08	3.640	3.6400	04/24/03	04/23/08	2,000,000.00	2,000,000.00
	FFCB 4.25 02/11/09	4.250	3.6803	08/27/04	02/11/09	942,227.79	928,000.00
	<b>FFCB Total</b>	<b>3.165</b>	<b>3.1478</b>			<b>8,936,290.54</b>	<b>8,928,000.00</b>
FHLB	FHLB 1.85 04/20/06	1.850	1.8500	10/20/05	04/20/06	2,520,000.00	2,520,000.00
	FHLB 2.65 05/05/06	2.650	2.6500	05/05/03	05/05/06	2,000,000.00	2,000,000.00
	FHLB 2.27 07/28/06	2.270	2.2700	07/28/03	07/28/06	1,000,000.00	1,000,000.00
	FHLB 2.22 07/28/06	2.220	2.2200	07/28/03	07/28/06	2,000,000.00	2,000,000.00
	FHLB 2.55 10/27/06	2.550	2.6801	04/27/04	10/27/06	2,497,951.39	2,500,000.00
	FHLB 3.125 11/15/06	3.125	3.1530	12/27/04	11/15/06	4,999,007.23	5,000,000.00
	FHLB 2.75 11/20/06	2.750	2.7500	05/20/03	11/20/06	2,500,000.00	2,500,000.00
	FHLB 2.785 11/21/06	2.785	3.0691	08/21/03	11/21/06	1,207,647.22	1,210,000.00
	FHLB 3.00 02/20/07	3.000	3.0000	08/20/03	02/20/07	2,000,000.00	2,000,000.00
	FHLB 2.40 03/30/07	2.400	2.4380	03/30/04	03/30/07	4,998,030.24	5,000,000.00
	FHLB 2.40 03/30/07	2.400	2.4435	03/30/04	03/30/07	4,997,748.84	5,000,000.00
	FHLB 2.50 04/05/07	2.500	2.5000	04/05/04	04/05/07	2,000,000.00	2,000,000.00
	FHLB 3.00 05/09/07	3.000	3.0000	05/09/03	05/09/07	2,000,000.00	2,000,000.00
	FHLB 2.75 05/21/07	2.750	2.7500	05/21/03	05/21/07	2,000,000.00	2,000,000.00
	FHLB 3.03 06/18/07	3.030	3.0300	03/18/04	06/18/07	2,050,000.00	2,050,000.00
	FHLB 2.80 07/16/07	2.800	2.8000	04/16/04	07/16/07	3,000,000.00	3,000,000.00
	FHLB 3.01 10/07/07	3.010	3.0100	10/07/03	10/07/07	3,000,000.00	3,000,000.00
	FHLB 3.625 10/22/07	3.625	3.6674	10/22/03	10/22/07	1,998,717.45	2,000,000.00
	FHLB 3.10 12/17/07	3.100	3.1000	03/17/04	12/17/07	5,000,000.00	5,000,000.00
	FHLB 3.50 01/07/08	3.500	3.5000	01/07/04	01/07/08	2,000,000.00	2,000,000.00
	FHLB 2.82 01/08/08	2.820	2.8370	04/08/04	01/08/08	3,848,811.13	3,850,000.00
	FHLB 3.00 01/15/08	3.000	3.0000	04/15/04	01/15/08	2,080,000.00	2,080,000.00
	FHLB 3.40 02/06/08	3.400	3.4000	02/06/04	02/06/08	5,000,000.00	5,000,000.00
	FHLB 3.45 02/25/08	3.450	3.4500	02/25/04	02/25/08	4,000,000.00	4,000,000.00
	FHLB 3.03 04/17/08	3.030	3.0300	07/17/03	04/17/08	2,000,000.00	2,000,000.00
	FHLB 3.25 06/03/08	3.250	3.2500	06/03/03	06/03/08	2,000,000.00	2,000,000.00
	FHLB 3.05 06/30/08	3.050	3.0500	06/30/03	06/30/08	4,000,000.00	4,000,000.00
	FHLB 4.15 07/15/08	4.150	4.1436	05/10/05	07/15/08	315,049.34	315,000.00
	FHLB 3.375 07/21/08	3.375	3.3750	02/19/04	07/21/08	1,000,000.00	1,000,000.00
	FHLB 3.35 08/07/08	3.350	3.3500	08/07/03	08/07/08	2,000,000.00	2,000,000.00
	FHLB 3.625 08/14/08	3.625	3.8023	12/26/03	08/14/08	1,992,059.35	2,000,000.00
	FHLB 3.69 08/14/08	3.690	3.6900	08/14/03	08/14/08	2,000,000.00	2,000,000.00
	FHLB 3.09 10/06/08	3.090	3.0900	04/06/04	10/06/08	2,000,000.00	2,000,000.00
	FHLB 3.25 10/06/08	3.250	3.2500	04/06/04	10/06/08	5,000,000.00	5,000,000.00
	FHLB 4.00 11/12/08	4.000	4.0000	11/14/03	11/12/08	2,000,000.00	2,000,000.00
	FHLB 4.00 11/12/08	4.000	4.0000	11/12/03	11/12/08	2,000,000.00	2,000,000.00
	FHLB 3.50 12/12/08	3.500	3.4748	06/12/03	12/12/08	2,001,263.89	2,000,000.00
	FHLB 3.65 02/27/09	3.650	3.6500	02/27/04	02/27/09	1,500,000.00	1,500,000.00
	FHLB 3.67 04/23/09	3.670	3.6700	04/23/04	04/23/09	2,000,000.00	2,000,000.00
	FHLB 4.35 09/01/09	4.350	4.3500	09/01/04	09/01/09	5,000,000.00	5,000,000.00
	FHLB 4.43 09/10/09	4.430	4.4300	09/10/04	09/10/09	2,000,000.00	2,000,000.00
	FHLB 5.00 10/15/12	5.000	5.0000	10/15/04	10/15/12	3,875,000.00	3,875,000.00
	<b>FHLB Total</b>	<b>3.193</b>	<b>3.2080</b>			<b>111,381,286.08</b>	<b>111,400,000.00</b>

**City of Lincoln**  
**Investment Quarterly Report**  
As of February 28, 2006

	<i>Security Description</i>	<i>Coupon Rate</i>	<i>Yield Maturity</i>	<i>Purchase Date</i>	<i>Maturity Date</i>	<i>Ending Book Value</i>	<i>Ending Par Value</i>
FHLMC	FHLMC 3.25 05/14/07	3.250	3.3824	08/05/03	05/14/07	1,997,012.97	2,000,000.00
	FHLMC 3.00 08/27/07	3.000	3.0000	02/27/04	08/27/07	5,000,000.00	5,000,000.00
	FHLMC 3.25 01/28/08	3.250	3.1649	02/25/04	01/28/08	2,003,014.44	2,000,000.00
	FHLMC 3.25 01/28/08	3.250	3.2085	02/27/04	01/28/08	3,002,191.00	3,000,000.00
	FHLMC 3.60 04/16/08	3.600	3.6000	04/16/03	04/16/08	2,000,000.00	2,000,000.00
	FHLMC 4.00 09/15/09	4.000	4.0000	03/15/04	09/15/09	3,000,000.00	3,000,000.00
	<b>FHLMC Total</b>	<b>3.350</b>	<b>3.3482</b>			<b>17,002,218.41</b>	<b>17,000,000.00</b>
FNMA	FNMA 1.80 04/07/06	1.800	1.8000	04/07/04	04/07/06	5,000,000.00	5,000,000.00
	FNMA 3.375 12/15/08	3.375	4.1550	05/10/05	12/15/08	545,840.65	557,000.00
	<b>FNMA Total</b>	<b>1.955</b>	<b>2.0318</b>			<b>5,545,840.65</b>	<b>5,557,000.00</b>
FNMA Discount Note	FNMA Discount Note 0.00 03/02/06	0.000	4.3607	01/20/06	03/02/06	4,999,405.56	5,000,000.00
	<b>FNMA Discount Note Total</b>	<b>0.000</b>	<b>4.3607</b>			<b>4,999,405.56</b>	<b>5,000,000.00</b>
Inter Fund Investments	General Fund Obligation	3.750	3.7500	09/01/04	05/31/10	12,995,191.98	12,995,191.98
	General Fund Obligation	3.900	3.9000	06/03/05	05/31/10	2,501,070.06	2,501,070.06
	Lincoln Star Bldg TIF	6.390	6.3900	04/21/00	06/15/10	122,277.93	122,277.93
	Lincoln Building TIF	4.060	4.0600	06/02/03	12/01/11	31,813.80	31,813.80
	Liberty Village TIF	4.750	4.7500	08/15/05	02/15/18	354,174.36	354,174.36
	<b>Inter Fund investments Total</b>	<b>3.803</b>	<b>3.8031</b>			<b>16,004,528.13</b>	<b>16,004,528.13</b>
Money Market	Money Market-USB Sweep	3.870	3.8700	09/01/01	Open	4,173,517.74	4,173,517.74
	Money Market-NPAIT	4.014	4.0136	09/01/01	Open	1,670,000.00	1,670,000.00
	Money Market-STFIT	4.034	4.0335	09/19/01	Open	100,000.00	100,000.00
	Money Market-STFIT	4.034	4.0335	03/13/02	Open	250,000.00	250,000.00
	Money Market-STFIT	4.034	4.0335	05/29/02	Open	250,000.00	250,000.00
	Money Market-Savings Account	4.100	4.1000	07/26/02	Open	5,000,000.00	5,000,000.00
	Money Market-WFB Overnight Repo	4.160	4.1600	08/31/04	Open	3,700,000.00	3,700,000.00
	<b>Money Market Total</b>	<b>4.079</b>	<b>4.0793</b>			<b>15,143,517.74</b>	<b>15,143,517.74</b>
Investment Agreement	Investment Agreement 4.51 12/01/15	4.510	4.5100	03/23/05	12/01/15	1,120,000.00	1,120,000.00
	Investment Agreement 4.60 08/15/22	4.600	4.6000	03/23/05	08/15/22	1,540,000.00	1,540,000.00
	Investment Agreement 4.70 08/15/25	4.700	4.7000	03/23/05	08/15/25	3,390,000.00	3,390,000.00
	Investment Agreement 4.83 10/15/26	4.830	4.8300	12/01/05	10/15/26	1,910,000.00	1,910,000.00
	Investment Agreement 4.83 06/15/30	4.830	4.8300	12/01/05	06/15/30	1,229,980.83	1,229,980.83
	<b>Investment Agreement Total</b>	<b>4.705</b>	<b>4.7045</b>			<b>9,189,980.83</b>	<b>9,189,980.83</b>
Time Deposit	Time Deposit 3.30 06/23/06	3.300	3.3000	06/23/05	06/23/06	1,500,000.00	1,500,000.00
	Time Deposit 4.50 01/11/07	4.500	4.5000	01/11/06	01/11/07	2,000,000.00	2,000,000.00
	<b>Time Deposit Total</b>	<b>3.986</b>	<b>3.9857</b>			<b>3,500,000.00</b>	<b>3,500,000.00</b>
Treasury Note	Treasury Note 6.50 10/15/06	6.500	6.5925	02/29/00	10/15/06	374,823.35	375,000.00
	Treasury Note 3.625 04/30/07	3.625	3.6286	05/13/05	04/30/07	3,999,814.77	4,000,000.00
	Treasury Note 3.75 05/15/08	3.750	3.6081	05/19/05	05/15/08	2,507,352.12	2,500,000.00
	Treasury Note 4.375 08/15/12	4.375	4.1749	05/19/03	08/15/12	3,200,551.30	3,167,000.00
	<b>Treasury Note Total</b>	<b>4.001</b>	<b>3.9071</b>			<b>10,082,541.54</b>	<b>10,042,000.00</b>
Treasury STRIP	Treasury STRIP 0.00 11/15/06	0.000	5.5315	12/31/98	11/15/06	626,080.22	644,000.00
	<b>Treasury STRIP Total</b>	<b>0.000</b>	<b>5.5315</b>			<b>626,080.22</b>	<b>644,000.00</b>
	<b>Investment Total</b>	<b>3.355</b>	<b>3.4072</b>			<b>226,411,689.70</b>	<b>226,409,026.70</b>

**City of Lincoln**  
**Investment Portfolio Composition, February 28, 2006**





JWalker@ci.lincoln.ne.us

06/01/2006 03:21 PM

To "timkjohnson1947@juno.com"

<timkjohnson1947@juno.com>

cc council@lincoln.ne.gov, mayor@lincoln.ne.gov,  
MKrout@ci.lincoln.ne.us, SHartzell@ci.lincoln.ne.us,  
SHenrichsen@ci.lincoln.ne.us, SMasters@ci.lincoln.ne.us,

bcc

Subject Re: sewage plant

Dear Mr. Johnson:

Thank you for submitting your comments, which have now become part of the record on the Capital Improvements Program for the Wastewater Division of Public Works & Utilities. I am forwarding a copy to each Planning Commission member for their consideration. The Planning Commission is scheduled to take action on the proposed CIP at their next meeting on Wednesday, June 7th. The public hearing has been closed so there will be no further testimony.

If you have any questions about this process, please do not hesitate to contact me.

--Jean Walker, Administrative Officer  
City-County Planning Department  
441-6365

"timkjohnson1947@  
juno.com"  
<timkjohnson1947@  
juno.com>

06/01/2006 03:15  
PM

plan@lincoln.ne.gov,  
council@lincoln.ne.gov,  
mayor@lincoln.ne.gov

To

cc

Subject

sewage plant

Dear All,

In the meeting that I attended on this topic it was obvious that a complete cost benefit analysis including an environmental impact analysis on each choice. Postponing a decision on acquiring land would be necessary. In research on this issue in other states it appears that often a larger site is more cost efficient over a long period than multiple sites, including pumping stations.

I. The cost benefit analysis should include

- an itemized estimate of the expansion, operation, and maintenance costs of expanded Northeast, (North 70th Street) and/or Theresa Street Facilities over a long-term 30-50 year period into the future versus the cost of building and operating an additional new facility. (Some cities are finding it cheaper to monitor and operate fewer larger sites, even including the cost of extra piping, than to maintain a greater number of smaller sites.

- A thorough examination of different pipe routing options with an itemization of costs for different routes

- acceleration of the program for repairing leaking sewer pipes and a building code requiring that sump pumps drain be piped outside a building.

III Sewage discharge should flow to the northeast of Lincoln where there is much higher creek flow, thereby avoiding draining sewage through Wilderness Park and downtown Lincoln. There is always a danger of emergency discharge of raw sewage into the creek. Nationwide, many chemicals are being found in sewage discharge.

Thank you for considering this approach as it seems wise as far as costs and environmental impact.

Tim K. Johnson



JWalker@ci.lincoln.ne.us  
06/02/2006 12:44 PM

To outreach@openharvest.com  
cc council@lincoln.ne.gov, mayor@lincoln.ne.gov,  
MKrout@ci.lincoln.ne.us, SHenrichsen@ci.lincoln.ne.us,  
SHartzell@ci.lincoln.ne.us, kmorgan@ci.lincoln.ne.us,  
bcc  
Subject Re: Sewage Treatment Facility

Dear Ms. Barnhardt:

Thank you for submitting your comments, which have now become part of the record on the Capital Improvements Program for the Wastewater Division of Public Works & Utilities. I am forwarding a copy to each Planning Commission member for their consideration. The Planning Commission is scheduled to take action on the proposed CIP at their next meeting on Wednesday, June 7th. The public hearing has been closed so there will be no further testimony.

If you have any questions about this process, please do not hesitate to contact me.

--Jean Walker, Administrative Officer  
City-County Planning Department  
441-6365

Open Harvest  
Outreach  
<outreach@openharvest.com>

06/02/2006 12:40  
PM

Please respond to  
outreach@openharvest.com

plan@lincoln.ne.gov,  
council@lincoln.ne.gov,  
mayor@lincoln.ne.gov

To

cc

Subject

Sewage Treatment Facility

Dear Administrators of our City of Lincoln,

I am concerned at the rush to purchase land to build a sewage treatment plant near Wilderness Park even though a cost analysis has not been conducted. This park should be regarded as a jewel of our city and be maintained as such. Water quality and aquatic life is remarkably good and should not be compromised.

Please be fiscally responsible and explore cost benefit options



including expansion of the current Northeast Sewage treatment facility. Major cites have closed small treatment facilities and expanded a centralized treatment facility as this is more cost effective and environmentally sound.

Sincerely,

Jackie Barnhardt  
1010 Sumner Street  
Lincoln, NE 68502



JWalker@ci.lincoln.ne.us

06/05/2006 09:46 AM

To "Neil" <nme84810@neb.rr.com>

cc council@lincoln.ne.gov, mayor@lincoln.ne.gov,  
MKrout@ci.lincoln.ne.us, SHenrichsen@ci.lincoln.ne.us,  
SHartzell@ci.lincoln.ne.us, kmorgan@ci.lincoln.ne.us,  
bcc

Subject Re: sewage treatment plant

Dear Mr. Engstrom:

Thank you for submitting your comments, which have now become part of the record on the Capital Improvements Program for the Wastewater Division of Public Works & Utilities. I am forwarding a copy to each Planning Commission member for their consideration. The Planning Commission is scheduled to take action on the proposed CIP at their next meeting on Wednesday, June 7th. The public hearing has been closed so there will be no further testimony.

If you have any questions about this process, please do not hesitate to contact me.

--Jean Walker, Administrative Officer  
City-County Planning Department  
441-6365

"Neil"  
<nme84810@neb.rr.  
com>

06/04/2006 03:29  
PM

<plan@lincoln.ne.gov>,  
<council@lincoln.ne.gov>,  
<mayor@lincoln.ne.gov>

To

cc

Subject

sewage treatment plant

As a concerned resident of Lincoln, and a lover of nature, I wish to ask you to not allow a waste treatment site to be built near Wilderness Park. I realize that Lincoln is growing and expanding, especially in a southerly direction, but to build there would and could do much more harm than good. Eventually Lincoln will probably encompass the whole of Wilderness Park within its city limits, and it will be a wonderful place to take our children to enjoy nature close at hand. Now, imagine you are out there walking with your child and 1, the odor like the Theresa St. plant emanates, drifts up to greet you on your walk. 2, a raw sewage discharge has happened, your child slips while near the creek and is suddenly in the contaminated water, possibly even swallowing some as he or she slipped in.

3, along with this discharge, the damage to fish and other wildlife living there would be terrible and then before it could flow away from the city, it would have to pass THROUGH the city, creating even more health risks. I know that there are other options available in combating the rising waste treatment problems of Lincoln. True, no one likes to think of the streets torn up, Lord knows we seem to have more than enough of that as it is, but with the advances in technology I'm sure that better and safer lines could be installed to a site far more suited to serve Lincoln without putting Wilderness Park at risk. Please, reconsider all of your options and do NOT vote to build there. Thank you, a very concerned voter. Neil M Engstrom

Lincoln Parks & Recreation  
2740 A Street  
Lincoln, NE 68502

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4 P.M.

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AND THE  
TRANSPORTATION ENHANCEMENT  
PROGRAM  
IN BREAKING GROUND FOR THE  
JAMAICA NORTH TRAIL



Nicole Tooze/Notes

06/07/2006 12:40 PM

To CouncilPacket/Notes@Notes

cc Mayor/Notes@Notes, Karl A Fredrickson/Notes@Notes,  
Benjamin J Higgins/Notes@Notes, Devin L  
Biesecker/Notes@Notes, ljha@jeo.com,

bcc

Subject Stormwater Article RE: Lincoln's Drainage Improvements

We are pleased to share with you this article published in the May/June Stormwater journal which was co-authored by one of our staff, Devin Biesecker. Other authors include staff from JEO Consulting Group and Wright Water Engineers who are assisting us in the preliminary engineering and prioritization of drainage improvements for the City of Lincoln. This engineering process is being used to identify and prioritize projects in a way that most effectively addresses stormwater deficiencies through our capital improvement program.

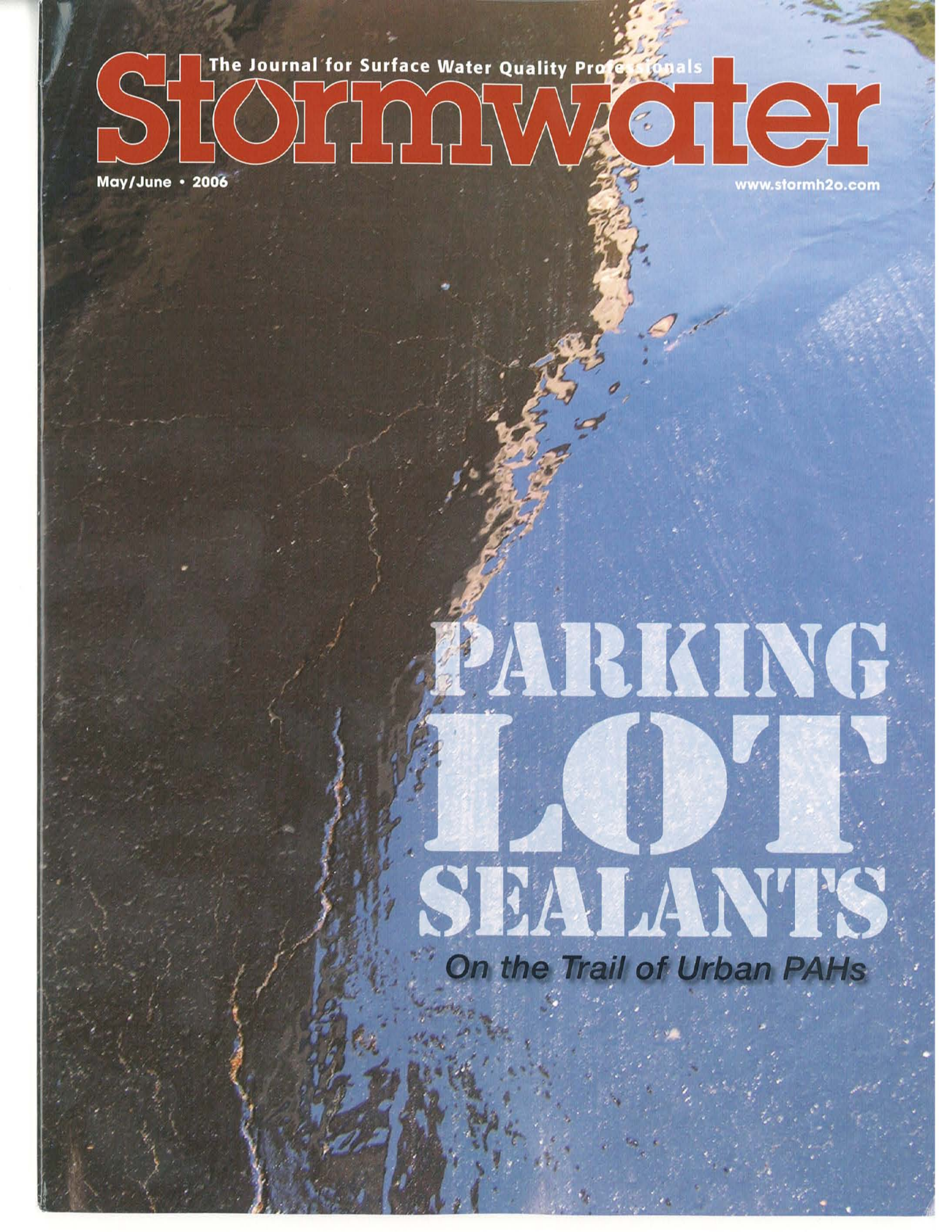
The Council received a briefing regarding this project in September, but we continue to make progress on the next phase and would be happy to answer any questions or provide you with additional information should you need it.

Nicole Fleck-Tooze



0605\_StormwaterArticle\_LincolnStudy.pdf





The Journal for Surface Water Quality Professionals

# Stormwater

May/June • 2006

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# Drainage Improvement Prioritization

## in Lincoln, NE

*By Lalit Jha, Devin Biesecker,  
Jonathan E. Jones, J.D.  
Johnson, and Sally Kribs*

Overtopped inlet at 63rd and Fletcher Avenue  
Inset: Damage to pipe near 14th and Holdrege Street

Solving critical  
problems rather  
than reacting  
to complaints

Virtually every municipal public works staff person has had the experience: Heavy rains are followed by calls from certain residents on particular streets complaining about drainage issues. Oftentimes these “squeaky wheels” have their concerns addressed far sooner than other potentially more serious municipal drainage problems that are not the subject of complaints. In fact, frequency of resident complaints is commonly used by many municipalities as the determining factor to establish which drainage and flood control projects take precedence over others. Unfortunately, this can result in diminished resources for improvements that are more critical to public health, safety, and welfare. Another common approach for drainage improvement prioritization is to compare the capacity of the drainage system against design flows and to assign highest priority to those channel reaches where there is the largest differential. While

this approach has the advantage of being empirical, it is an oversimplification that can also result in unwise expenditures.

Historically, the City of Lincoln, NE, has used a priority list of the stormwater projects originally developed in 1966 and updated in 1979. These projects were prioritized mainly on the capacity (five-year storm for residential areas and 10-year storm for commercial and industrial areas) of the drainage system. Topographic and economic factors were also considered in the prioritization methodology. However, many other factors were not featured in the priority formula. Because the minimum design standards used by the city have been upgraded and significant zoning changes have been made since 1979, a new and more

robust approach of developing capital improvement program (CIP) priorities was needed. In

2003, the city's Public Works and Utilities Department and Watershed Management Division began a stormwater study project to develop criteria, a ranking system, and a prioritization methodology for identifying stormwater improvement projects for urban drainage system upgrades, rehabilitation, and system extensions.

### Peer Engineer Review Process

The city and its consultants (including JEO Consulting Group Inc., Wright Water Engineers Inc., and Black & Veatch) assembled an engineering peer review committee to assist with this project. The committee provided input and suggestions regarding the prioritization criteria and



appropriate weighting of these criteria.

The city retained the Heartland Center for Leadership Development, an independent nonprofit organization, to serve as facilitator for a series of engineer peer review committee discussions regarding the criteria, weighting factors, and format for a proposed prioritization methodology. The Heartland Center also facilitated interim work sessions between the city and the consulting team to design committee meetings, debrief and report on each meeting, and consult on follow-up strategies and on the development of the prioritization ranking tool.

The peer review committee met on three separate occasions during May and June 2004 to develop an updated prioritization methodology. Many municipal stormwater CIP prioritization methods throughout the United States were evaluated. The following broad approaches are typically used for CIP prioritization:

- *Written scoring*—City, county, or district has a written and well-documented scoring system for ranking projects.
- *Written policy*—Entity has a written policy for prioritizing projects but no scoring system for benefits.
- *Engineering judgment or committee review*—Projects are selected based on departmental engineering judgment or selected by varying priorities set by a city council.

Based on the advantages and disadvantages of each approach, summarized in Table 1, the city determined it would use a written scoring approach for future CIP prioritization.

### Review Committee—Meeting One

At its first meeting, the peer review committee established basic objectives for CIP projects:

- Protect public health and welfare
- Minimize property losses
- Enhance the floodplain
- Provide flood conveyance capacity
- Enhance the environment
- Encourage aesthetics

The peer group was instructed to consider a list of factors compiled that could be used to prioritize CIP projects. It was noted that the factors were not in any ranking order, nor was it necessarily a comprehensive list. Eventually, through discussions with the peer review committee, the city would determine a "ranking order" and "weighting" system for these

and potential other factors (refer to the Glossary of Key Terms):

- Structure flooding (residence, business, critical facilities, etc.)
- Street flooding (types of street, location, depth and duration, etc.)
- Yard flooding
- Isolated ponding
- Condition of existing structures (age, size, type, damages, etc.)
- Maintenance frequency
- Complaints

- Erosion
- Inadequacy of existing system
- Undeveloped upstream area
- Developed area
- Negative impact on downstream system
- City's responsibility
- Miscellaneous issues (aesthetics, political, water quality, etc.)

### Possible Weighing Factors/Multipliers

- Risk/severity factor (loss of life, injury, etc.)
- Flood frequency factor

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**Table 1: Advantages and Disadvantages of Three Prioritization Approaches**

Approach	Advantages	Disadvantages
Written Scoring	Reduces subjectivity	Time and budget to calculate ranking
	Emphasizes stormwater program goals	Data collection is field intensive
	Provides numeric measures for meeting program goals	
	Can be more equitable	
Written Policy	Reduces subjectivity, although to lesser extent than written scoring approach	May be difficult to distinguish between projects with similar priorities
	Can emphasize program goals	
Engineering Judgment or Committee Review	Ease of implementation	May be difficult to prioritize projects
		May not meet program goals
		Rankings may be subjective
		May not be equitable

Following the presentations, the facilitators moderated an open discussion through which numerous comments and questions arose. The discussion was an effective tool for the city, the

consulting team, and the peer review committee to refine the nature, scope, and intention of the project at hand. It was determined that the prioritization methodology designed as a result

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Erosion at culvert near Northwest 7th Street and Highland Boulevard



Culvert near 92nd and Heritage Lake Drive

of this committee's work should be a flexible tool that could be used as a screening device for city staff. Intentionally, the cost of a project would be considered separately. The group was also informed that the city wished to develop a methodology that was dependent primarily on information that is currently available, rather than one that would create the demand for additional information gathering.

### Review Committee—Meeting Two


At the second peer review meeting, participants were seated in separate table groups to facilitate individual and small group

consideration of the various criteria factors introduced at the preceding meeting. Participants were given worksheets that listed 12 factors and were instructed to work individually to assign a point value to each factor, which would sum up to a total of 100 points. The higher number of points would determine the higher priority. Participants could choose to assign zero points to a criterion, and they could choose to write in additional criteria for consideration. After working as individuals, table groups were directed to discuss their scores, and then come to consensus on a table score for each criterion. The groups' scores were tallied and are shown in Table 2.

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**Table 2: Priority Ranking for Drainage Criteria Factors by Peer Reviewers**

Criteria	Group 1	Group 2	Group 3	Group 4	Total
Structural Flooding	20	22	35	25	102
Street Flooding	10	11	20	10	51
Condition of Existing Drainage System	10	11	15	15	51
Inadequacy of Existing Drainage System	10	9	5	15	39
Maintenance Frequency	10	6	15	5	36
Links to Other Utility Improvements	10	4	0	15	29
Yard/Isolated Flooding	0	4	10	5	19
City Liability/Legal Issues	10	6	0	0	16
Negative Impacts Downstream	5	10	0	0	15
History of Complaints	5	4	0	5	14
Erosion	5	2	0	5	12
Undeveloped Upstream Area/Future Land Use	0	5	0	0	5
Community Development	5	0	0	0	5
Health & Safety	0	5	0	0	5
Developed Area	0	1	0	0	1

Following this exercise, a general discussion revealed that most participants thought it would be appropriate to collapse the factors into a few broad categories, and to have other factors become weighting factors. The group also desired to have clear definitions regarding “high/low” priorities and “major/minor” flooding events.

### Prioritization Categories

The following prioritization categories were developed for the purpose of project ranking:

1. *Structural flooding*: flooding that causes structures to be inundated by floodwater. The structural flooding potential was identified through hydrologic and hydraulic analysis, study of topographic maps, field investigation, and recorded historic problems. The structural flooding category is further divided into the severity of the flooding potential by having a higher multiplier for the minor storm event structural flooding frequency as compared to the major storm event structural flood frequency.
2. *Non-structural flooding*: flooding that causes stormwater to pond on the street or on public or private property for an extended period of time without encroaching any structure.

The non-structural flooding potential in the study area was evaluated for the minor storm event. The non-structural flooding potential was identified through hydrologic and hydraulic analysis, study of topographic maps, field investigation, and recorded historic problems. The non-structural flooding category is further subdivided to account for the severity of the flooding by having a higher multiplier for the flooding on private property/arterial street rights of way.

3. *Existing infrastructure condition*: This category includes the structural condition and maintenance frequency for the given



Construction near Baldwin Shop



underground stormwater drainage system. The information for this category was obtained from the city maintenance staff. The existing condition of the system was determined by field investigation and reviewing maintenance records. This category is subdivided into three categories to address the severity of the problem.

4. *Miscellaneous factors:* Miscellaneous factors include health and safety, critical locations, community development, downstream impacts, complaints, undeveloped/developed area, cost, legal issues, and links to other improvements

the draft ranking sheet and provide qualitative feedback by recording what they liked and did not like about the proposed ranking system, and what they would suggest as possible changes for improvement. The group also offered suggestions about how the format might be adjusted and improved.

The intent was not to create the methodology as a "black box" that the city would use strictly based on the final rankings. Instead, it would serve as a tool to guide the city while still allowing the flexibility to use engineering judgment. The committee provided input and



Culvert near 58th and Tangeman Terrace

to be considered in the prioritization system. The ranking points for this category were provided by the watershed management staff.

The process of the project ranking system requires evaluating and identifying the pipe and inlet deficiencies, finding inadequate culverts, finding extent of the structural and non-structural flooding potential, and determining the existing infrastructure condition for any underground drainage system in a given watershed.

Following the second peer review meeting, JEO developed a draft ranking sheet and definitions. These documents were sent to peer review committee members so that they could consider the format before their final meeting.

### Review Committee—Meeting Three

At the final meeting, the peer review committee members were asked to study

suggestions regarding the prioritization criteria and appropriate weighting of these criteria. The city then incorporated this input into the final design of a written ranking system. The result was the Prioritization Ranking Worksheet (Figure 1). Cost considerations were left at the city's discretion, which promoted city involvement in the final prioritization and selection of CIP projects for design and construction.

### CIP Project Development

Equally important to the updated prioritization methodology was a process for developing CIP stormwater projects that would effectively address flooding and other drainage problems. An extensive process was used to analyze the stormwater system and identify potential CIP projects.

Data collection was among the most

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Gordon England, P.E., Senior Engineer, Bahamian Ministry of Works  
Bruce K. Ferguson, FASLA, Director, School of Environmental Design, University of GA, Athens;  
Masoud Kayhanian, Ph.D., Associate Director, Center for Environmental and Water Resources Engineering, University of CA, Davis  
Gary Minton, Ph.D., P.E., Author and Consultant, Resource Planning Associates, Seattle, WA  
John Sansalone, Ph.D., Associate Professor, Environmental Engineering, University of FL, Gainesville

## EPA News Update and Q&A Session

Thursday, July 27, 8 a.m. to 9:30 a.m.

Nikos Singelis, Senior Program Analyst, US EPA Office of Wastewater Management, will provide an update on EPA stormwater program developments. A question and answer session will follow his presentation. Don't miss the latest news and your chance to speak with the EPA's stormwater representative! Submit your questions for Mr. Singelis online at [www.StormCon.com](http://www.StormCon.com) and click on "Submit Your Questions."

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42nd Street ditch improvements

critical aspects of this process. Numerous field visits were conducted not only to gather additional information necessary for the analysis but also to verify information provided by the city. Sump locations and overland flow paths were identified and documented. Approximate limits of ponding and potential for structural flooding were noted. Open channels were observed, and cross-sections were measured. In some cases, discussions with local landowners were held regarding past flooding events. Field worksheets and digital photographs were utilized to collect



Damage to junction box near 11th and Oak Street

and organize the field data. Various methods of quality control were implemented throughout the data collection process. The extensive data collection procedures for the watershed inventory ensured that the analysis was accurate, which was vital for a study of this magnitude.

The primary function of the inventory was to develop a hydrologic and hydraulic (H&H) model using Bentley GEOPAK modeling software. A city-specific drainage library containing information on standard inlets, intensity/duration/frequency (IDF) curves, and other pertinent features was created for H&H modeling. This software package uses the Rational Method for hydrologic analysis, Manning's equation for hydraulic analysis, and HEC-12 for inlet analysis. The analysis was performed

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Street ponding near 27th and Highway 2



Ditch Ponding near 33rd and Highway 2

for the minor (five- and 10-year) and major (100-year) storm events. Though important in all aspects of the project, quality control was most critical during the modeling process. The complexity of the modeling procedures necessitated extensive quality control procedures.

After completion of the analysis, a stormwater geographic information system (GIS) database was created using ESRI ArcMap. A GIS stormwater database can serve various applications from modeling and thematic mapping to preliminary engineering design. Numerous geospatial analysis tools are available within the GIS as well. Additionally, these data can be merged

with the city's existing database, providing many data-management options.

The results of the H&H analysis were used to identify specific drainage system deficiencies, which were evaluated based on several criteria: structural flooding, non-structural and street flooding, and insufficient pipe/inlet capacity. The GIS was used to illustrate the location, severity, and extent of each deficiency. Drainage system deficiencies, together with field observations and city input, were used to develop conceptual plans for drainage improvements. Drainage improvement recommendations served to reduce and, if possible, eliminate potential for

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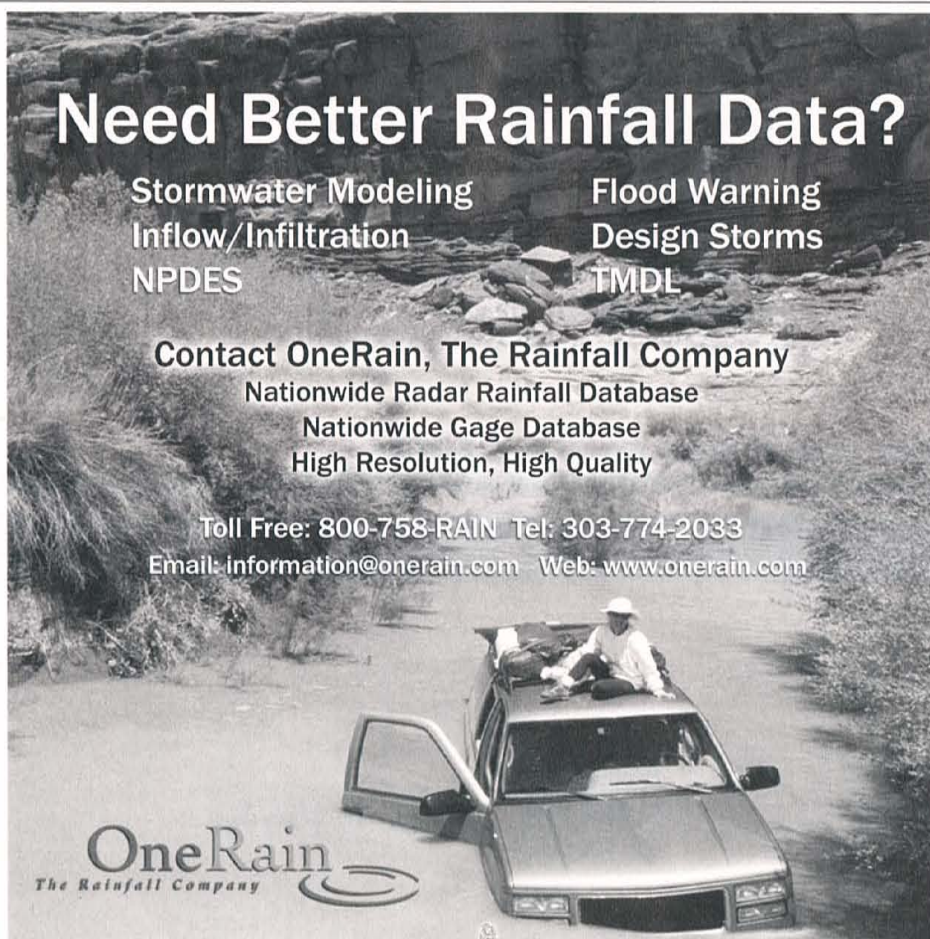
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flooding while complying with city design standards. While these projects were conceptual in nature, they allow the city to plan for future improvements with the provided preliminary cost opinions.

### Application

Twenty-three sub-basins from across the city were studied, encompassing nearly 6,000 acres. Analysis was performed for approximately 400,000 lineal feet of underground pipe; 20,000 lineal feet of open channel; and 5,000 inlets, manholes, and junctions. In total, 71 projects were proposed during the first two phases of the project. The final Prioritization Ranking Worksheet was applied to each of the proposed CIP projects that had been created to address flooding and other drainage system problems. Of the CIP projects proposed, 10 have proceeded to final design and construction through funding from the city's 2005 stormwater bonds. These projects range from very small (several thousand dollars) to very large (multimillion dollars). This includes four of the 10 highest-ranked projects according to the prioritization ranking.

The CIP stormwater projects identified and prioritized through the urban drainage study have allowed the city to prepare a proactive stormwater CIP, rather than a program that merely reacts as problems occur. This study ensures that the taxpayers' dollars will be spent on the stormwater infrastructure that is in the most need of replacement due to structural deficiencies, lack of capacity, or lack of an overland flow path, which may cause flooding. The prioritization methodology and criteria used to select the stormwater improvement projects were very helpful for the city staff in explaining the short- and long-term need for the stormwater CIP projects to the elected officials as well as the general public. The city intends to incorporate the remaining stormwater improvement projects identified though this study into its future CIP for design and construction at a later date.

### Glossary of Key Terms

**Minor storm:** a storm event having a 20% or 10% chance of being equaled or exceeded in magnitude in any given year (also known as the five- or 10-year storm). As per the city's design



criteria manual, a minor storm event is the five-year storm for residential area and the 10-year storm for industrial/commercial area.

**Major storm:** a storm event having a 1% chance of being equaled or exceeded in magnitude in any given year (also known as the 100-year storm event). As per the city's design criteria manual, a major storm event is a 100-year storm event for residential area and industrial/commercial area.

**Structural flooding:** flooding that causes structures to be encroached with floodwater

**Structural flooding frequency:** The term *structural flooding frequency* is used to describe the regularity of flooding to which a particular structure is exposed.

**Minor storm structural flood frequency:** a recurrence of structural flooding during a minor storm event

**Major storm structural flood frequency:** a recurrence of structural flooding during a major storm event

**Non-structural flooding:** flooding that causes stormwater to pond on the street or on public or private property for an extended period of time without encroaching any structure. The non-structural flooding potential was evaluated for the minor storm event only. As per the city design standard, the non-structural flooding is expected to occur during the major storm event.

**Non-structural flooding potential—high:** The non-structural flooding potential is considered high if it meets any one of the following criteria:

- Pondered depth at street inlet is greater than 1 foot.
- For pipes less than 24 inches in diameter, minor storm event discharge is greater than 15 cubic feet per second (cfs) over the pipe capacity.
- For pipes greater than or equal to 24 inches in diameter, minor storm event discharge is greater than 40 cfs over the pipe capacity.
- The street culvert overtopping frequency is less than the minor storm event.
- Sump area overland flow through private property due to drainage system deficiencies

**Non-structural flooding potential—low:** The non-structural flooding potential is considered low if it meets any one of the

following criteria:

- Pondered depth at street inlet is between 0.5 foot and 1.0 foot.
- For pipes less than 24 inches in diameter, minor storm event discharge is less than or equal to 15 cfs over the pipe capacity.
- For pipes greater than or equal to 24 inches in diameter, minor storm event discharge is less than or equal to 40 cfs over the pipe capacity.
- Minor storm event is less than street

culvert overtopping frequency of less than the 50-year event.

- Pipe deficiencies on private property (no sump area overland flow)

**Inlet deficiency—high:** The inlet deficiency is considered high if the pondered depth of the inlet is greater than or equal to 1.0 foot.

**Inlet deficiency—low:** The inlet deficiency is considered low if 0.5 foot is less than the pondered depth of the inlet, which is less than 1.0 foot.



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*Pipe deficiency—high:* The pipe deficiency is considered high if:

- For pipes less than 24 inches in diameter, minor storm event discharge is greater than 15 cfs over the pipe capacity.

- For pipes greater than or equal to 24 inches in diameter, minor storm event discharge is greater than 40 cfs over the pipe capacity.

*Pipe deficiency—low:* The pipe deficiency is considered "low" if:

- For pipes less than 24 inches in diameter, minor storm event discharge is less than or equal to 15 cfs over the pipe capacity.
- For pipes greater than or equal to 24 inches in diameter, minor storm event discharge is less than or equal to 40 cfs over the pipe capacity.

*Overland flow path:* path where stormwater runoff in excess of pipe and inlet capacity flows, whether planned or not

*Ponding limits:* the limits of flooding in a sump area as determined by the ponded depth of an inlet or the existing topography

*Sump area:* a low-lying area with potential for ponding.



Erosion near 92nd and Heritage Lake Drive

*Lalit Jha, P.E., and J.D. Johnson, E.I.T., are with JEO Consulting Group in Wahoo, NE. Devin Biesecker, P.E., is an engineer with the City of Lincoln, NE. Jonathan E. Jones, P.E., is CEO of Wright Water Engineers Inc. in Denver, CO. Sally Kribs is also with Wright Water Engineers in Denver.*

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**Karl A Fredrickson/Notes**

Sent by: Chris L Koll

06/07/2006 01:24 PM

To CouncilPacket/Notes@Notes

cc Mayor/Notes@Notes, Karen K Sieckmeyer/Notes@Notes

bcc

Subject City of Dallas settles with EPA: \$3.5 Million total

Last week the Journal Star reported on some correspondence regarding potential budget cuts. "Substantial cuts" were suggested by Robin Eschliman to "expenditures involving water run-off, flood plain issues, etc." As a reminder, the City is obligated under State and Federal regulations relating to the Clean Water Act to address stormwater run-off and water quality. The Public Works and Utilities Department administers the City's National Pollutant Discharge Elimination System (NPDES) stormwater permit which specifies 21 program activities to meet these requirements. As a reminder of the consequences of not taking these responsibilities seriously, below is an EPA article regarding the agency's settlement with the City of Dallas, requiring that City to spend in excess of \$3.5 million to address stormwater issues, including an \$800,000 penalty, the construction of wetlands, and an increase to their staff by 25% to 36 people working in the City's stormwater management section. The City of Lincoln does a lot with a very small staff to insure that the requirements of our permit are met. Cuts to this budget have the potential to result in significantly higher costs to the City if we are not able to meet State and Federal requirements regarding stormwater.

Karl Fredrickson, Director  
Public Works and Utilities Dept.

## **\$3.5 Million Settlement with City of Dallas Requires Increased City Effort to Keep Stormwater Sewers Clean**

Release date: 05/10/2006

Contact Information: Dave Bary, 214-665-2200

(Dallas, Texas -- May 10, 2006) The City of Dallas, Texas, has reached an agreement with the federal government requiring the City to spend in excess of \$3.5 million in a comprehensive effort to decrease the amount of pollution entering the city's stormwater system, the Department of Justice and Environmental Protection Agency (EPA) announced today. The settlement requires the City to construct two wetlands at an estimated cost of \$1.2 million-one along the Trinity River, and one along Cedar Creek near the Dallas Zoo-and to pay a civil penalty of \$800,000.

Today's settlement resolves allegations-first made by the federal government in an EPA order issued in February 2004-that the City failed to implement, adequately fund and adequately staff the City's stormwater management program. Under the agreement, the City is required to fill staff positions, inspect hundreds of industrial facilities and construction sites, and improve management systems at several facilities.

"We are pleased to conclude this matter with a settlement that will result in vigorous City efforts to keep the City's stormwater compliant with applicable law," said Sue Ellen Wooldridge, Assistant Attorney General of the Department of Justice's Environment and Natural Resources Division. "We expect all cities to comply with the stormwater requirements of the Clean Water Act."

"This settlement benefits everyone in Dallas by helping to keep the City's rivers, lakes, and streams clean. I am particularly pleased that we and the City were able to resolve this matter in a way that improves our urban

environment by building water-purifying wetlands along the Trinity River and at the Zoo," said Richard Greene, Regional Administrator of U.S. EPA Region 6 in Dallas.

The settlement requires the City to have at least 36 people working in the City's stormwater management section, a 25 percent increase over the number of people on staff when EPA issued its order. The consent decree also requires the City to inspect at least 500 stormwater discharge pipes per year, 500 industrial facilities each year, and large construction sites every two weeks.

Pursuant to the settlement, the City will prepare a formal environmental management system for 12 city-run facilities, including the city's service centers, and then have a third-party auditor review the management systems. EPA plans to conduct a full audit of the stormwater system within the next one to three years.

The first wetland the City will construct will be a 60-acre or larger area along the Trinity River downstream of Sylvan Avenue, in the vicinity of the Pavaho pump station. Currently the City pumps stormwater directly from the sump to the Trinity River. This project will use the stormwater to water a wetland that will provide urban green space and filter impurities out of the stormwater before it reaches the Trinity. Before beginning construction, the City is required to submit a detailed design plan for the wetland to be reviewed by the EPA.

The second wetland will be a small wetland along Cedar Creek near the Dallas Zoo. The wetland will be the last in a series of treatment steps designed to treat run-off from a portion of the Dallas Zoo. The system will be designed so that water emerging from the wetland can be returned to the Zoo for use in drip irrigation. As with the wetland along the Trinity River, a detailed design plan must be approved by the EPA before work begins.

Richard B. Roper, U.S. Attorney for the Northern District of Texas, said, "I applaud the officials of the City of Dallas in acting with the Department of Justice and the Environmental Protection Agency to insure that the citizens of Dallas can enjoy the cleanest possible rivers, lakes, and streams."

"Stormwater, if not properly managed, is a major source of water pollution," said Granta Y. Nakayama, EPA's Assistant Administrator for the Office of Enforcement and Compliance Assurance. "By agreeing to make changes to its operations under this settlement, the City of Dallas will reduce pollution, improve the quality of its stormwater system, and have a positive impact on the environment."

City stormwater sewers carry significant amounts of pollution into urban rivers, lakes, and streams. City storm sewers can discharge annually as much lead and copper, and as many oxygen-depleting materials, as do city sewage treatment plants. When it comes to stream-clogging sediment, storm sewers can discharge ten times the "total suspended solids" that come from sewage treatment plants.

Discharges of stormwater from city storm sewers are regulated by the federal Clean Water Act. Municipalities must obtain permits for their stormwater discharges. The stormwater management program at issue in this settlement was drafted by the City and made part of the stormwater discharge permit issued by the EPA to the City in 1997.

The proposed consent decree lodged today is open for a 30-day public comment

period. A copy of the consent decree is available on the Department of Justice website at <http://www.usdoj.gov/enrd/open.html>.

More information:

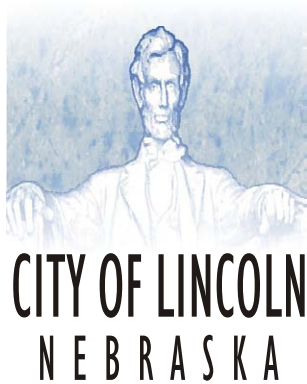
<http://www.epa.gov/compliance/resources/cases/civil/cwa/dallas-stormwater.html>

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# PUBLIC WORKS & UTILITIES ADVISORY

MAYOR COLEEN J. SENG

[www.ci.lincoln.ne.us](http://www.ci.lincoln.ne.us)

June 6, 2006

## **Water Capital Improvement Project 700273 11th Street; "L" - Lincoln Mall**

The City of Lincoln Public Works Department, Engineering Services Division would like to advise you that a bid for the utility construction has been awarded to Skoda Construction. This private contractor plans to start on 11th Street on Monday, June 12, 2006

The installation of the replacement water main is going to be installed on the west side of 11th Street. There may be times while the main is being installed that you will not be able to access your driveway. After the installation is complete, the new main has to be tested and chlorinated before the services are transferred. The area will then be cleaned up and the pavement, driveway, and sidewalks replaced.

The length of the construction period is a concern to most people. Unfortunately, Nebraska's uncertain weather combined with the complexity of the construction work, will dictate the amount of time the work will take. However, the Sunday Journal Star does run a list of street closings along with a probable opening date for the street.

While the City has contracted with a private firm to do the work, a City of Lincoln Project Manager will be overseeing the project to insure that the work is done properly and as quickly as possible. If you have any questions, please contact Steven Faust with the City of Lincoln Engineering Services Division at 441-7711 or Ron Skoda with Skoda Construction at 489-9027.

Steven Faust, Project Manager  
City of Lincoln Engineering Services  
(402) 441-7711  
[sfaust@lincoln.ne.gov](mailto:sfaust@lincoln.ne.gov)

Ron Skoda  
Skoda Construction  
(402) 489-9027

# Memorandum

---

**To:** City Council  
**From:** Randy Hoskins, City Traffic Engineer  
**Date:** June 7, 2006  
**Subject:** Prairie Village North

---

As you deliberate on the traffic issues for the Prairie Village North annexation and zoning issues, I wanted to clarify several items that have become issues in this process.

The traffic study prepared for this project looks at 2006 as the base year onto which all of the site trips are loaded. So other than growth that would be expected from surrounding developments through the end of 2006, there is no background growth of traffic included in the volumes predicted.

The improvements that Mr. Katt and Mr. Champoux are objecting to pay for are items that were identified in the traffic study that was prepared by their engineer for this project. The eastbound and westbound right turn lanes at 70<sup>th</sup> & Adams, Adams Street being widened to five lanes between 70<sup>th</sup> & 87<sup>th</sup> Streets, a traffic signal and intersection improvements at 84<sup>th</sup> & Havelock, dual left turn lanes northbound and southbound at 84<sup>th</sup> & Adams were among these identified improvements. While some of these are impact fee facilities, the developer should either wait until they are in place to move forward, or should front the improvements until they can be paid for with impact fees from the district.

Even with the recommended improvements, there will be serious degradations of traffic Levels of Service (LOS) in this area as a result of this development. The intersection of 84<sup>th</sup> & Adams will go from LOS A to LOS D, while 70<sup>th</sup> & Adams will go from LOS B to D. It should be noted that in order to obtain the LOS D at 84<sup>th</sup> & Adams, the traffic study was prepared using two through lanes in each direction on Adams, as well as left turn and right turn lanes, and dual left turns and single right turn lanes on 84<sup>th</sup>. Since Mr. Katt is objecting to the dual left turn lanes in 84<sup>th</sup> Street and their proposal only shows a single through lane in each direction on Adams, the actual level of service experienced at this intersection will be significantly worse when this project is built out, not even considering future traffic increases in the area due to other new developments.

While fronting these road costs does add a burden to the developer of this property, it is important that the existing and future users of the streets in this area not be harmed by allowing development to occur that doesn't mitigate the impacts it causes. Since no users are currently under contract for this area, the traffic generated by this development could vary widely from the assumptions that were used in the traffic study.

Public Works and Utilities staff has worked with the developer and his attorney trying to find ways to minimize costs and allow as much development as possible before street improvements are required. We do however feel that all of the improvements identified in the developer's traffic study should be constructed in order to keep the traffic flow in this area acceptable to the citizens of the City of Lincoln.



"timkjohnson1947@juno.com"  
<timkjohnson1947@juno.com>

06/01/2006 03:15 PM

To plan@lincoln.ne.gov, council@lincoln.ne.gov,  
mayor@lincoln.ne.gov

cc

bcc

Subject sewage plant

Dear All,

In the meeting that I attended on this topic it was obvious that a complete cost benefit analysis including an environmental impact analysis on each choice. Postponing a decision on acquiring land would be necessary. In research on this issue in other states it appears that often a larger site is more cost efficient over a long period than multiple sites, including pumping stations.

I. The cost benefit analysis should include

- an itemized estimate of the expansion, operation, and maintenance costs of expanded Northeast,(North 70th Street) and/or Theresa Street Facilities over a long-term 30-50 year period into the future versus the cost of building and operating an additional new facility. (Some cities are finding it cheaper to monitor and operate fewer larger sites, even including the cost of extra piping, than to maintain a greater number of smaller sites.

- A thorough examination of different pipe routing options with an itemization of costs for different routes

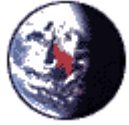
- acceleration of the program for repairing leaking sewer pipes and a building code requiring that sump pumps drain be piped outside a building.

III Sewage discharge should flow to the northeast of Lincoln where there is much higher creek flow, thereby avoiding draining sewage through Wilderness Park and downtown Lincoln. There is always a danger of emergency discharge of raw sewage into the creek. Nationwide, many chemicals are being found in sewage discharge.

Thank you for considering this approach as it seems wise as far as costs and environmental impact.

Tim K. Johnson





**Rosemary Thornton**  
**<rthorn@alltel.net>**  
06/01/2006 03:38 PM

To council@lincoln.ne.gov  
cc  
bcc  
Subject new sewage treatment plant

Dear City Council Members:

I am concerned about the proposal to build a sewage treatment plant that would send discharge into Salt Creek near Wilderness Park. Please insist on a cost/benefit analysis for a new plant versus expanding existing plants. It would seem that Wilderness Park would no longer be much of a preserve for wildlife if the water in the creek was degraded with harmful chemicals.

Thank you for your consideration.

Rosemary Thornton

Rosemary Thornton  
3405 M Street  
Lincoln NE 68510  
402-477-7597  
[rthorn@alltel.net](mailto:rthorn@alltel.net)



Open Harvest Outreach  
<outreach@openharvest.com>

06/02/2006 12:40 PM

Please respond to  
outreach@openharvest.com

To plan@lincoln.ne.gov, council@lincoln.ne.gov,  
mayor@lincoln.ne.gov

cc

bcc

Subject Sewage Treatment Facility

Dear Administrators of our City of Lincoln,

I am concerned at the rush to purchase land to build a sewage treatment plant near Wilderness Park even though a cost analysis has not been conducted. This park should be regarded as a jewel of our city and be maintained as such. Water quality and aquatic life is remarkably good and should not be compromised.

Please be fiscally responsible and explore cost benefit options including expansion of the current Northeast Sewage treatment facility. Major cites have closed small treatment facilities and expanded a centralized treatment facility as this is more cost effective and environmentally sound.

Sincerely,

Jackie Barnhardt  
1010 Sumner Street  
Lincoln, NE 68502



"Neil"  
<nme84810@neb.rr.com>  
06/04/2006 03:29 PM

To <plan@lincoln.ne.gov>, <council@lincoln.ne.gov>,  
<mayor@lincoln.ne.gov>

cc

bcc

Subject sewage treatment plant

As a concerned resident of Lincoln, and a lover of nature, I wish to ask you to not allow a waste treatment site to be built near Wilderness Park. I realize that Lincoln is growing and expanding, especially in a southerly direction, but to build there would and could do much more harm than good. Eventually Lincoln will probably encompass the whole of Wilderness Park within its city limits, and it will be a wonderful place to take our children to enjoy nature close at hand. Now, imagine you are out there walking with your child and 1, the odor like the Theresa St. plant emanates, drifts up to greet you on your walk. 2, a raw sewage discharge has happened, your child slips while near the creek and is suddenly in the contaminated water, possibly even swallowing some as he or she slipped in. 3, along with this discharge, the damage to fish and other wildlife living there would be terrible and then before it could flow away from the city, it would have to pass THROUGH the city, creating even more health risks. I know that there are other options available in combating the rising waste treatment problems of Lincoln. True, no one likes to think of the streets torn up, Lord knows we seem to have more than enough of that as it is, but with the advances in technology I'm sure that better and safer lines could be installed to a site far more suited to serve Lincoln without putting Wilderness Park at risk. **Please**, reconsider all of your options and do NOT vote to build there. Thank you, a very concerned voter. Neil M Engstrom



"Amber Mohr"  
<mohramber@hotmail.com>

06/05/2006 08:30 AM

To council@lincoln.ne.gov

cc

bcc

Subject Sewage Treatment Drainage

Dear Members of the City Council:

It makes me ill to think that one of the most natural and beautiful public parks in the area would see drainage from a sewage Treatment plant. I hope you will postpone taking any steps toward acquisition of land for an additional third sewage treatment plant until after a comprehensive cost benefit analysis has been done, including the environmental effects of different options. Water quality and aquatic life is good in Wilderness Park at the present time, and much wildlife there depends on a healthy Salt Creek. A sewage plant would surely destroy much of that life.

Thank you for your consideration,

Amber Mohr

Lincoln, NE 68510



"Dan Lutz"  
<llmkbigdeal@earthlink.net>  
06/06/2006 10:32 AM

To <plan@lincoln.ne.gov>  
cc <council@lincoln.ne.gov>, <mayor@lincoln.ne.gov>  
bcc  
Subject Sewage plant considerations

My name is Dan Lutz, resident of northeast Lincoln, contacting you as members of the Planning Commission regarding your scheduled vote June 7 regarding the proposed Southwest Wastewater Treatment Facility. If my information is correct, a comprehensive cost benefit analysis has not been done regarding this proposed facility. It has been reported to me that the current city Wastewater Facilities Plan does not include cost information associated with building a Southwest Wastewater Facility, which would drain into Salt Creek. I strongly believe that an itemized estimate of long-term costs associated with expanded Northeast and/or Theresa Street facilities should be developed before any plans proceed to acquire land required for the proposed Southwest wastewater treatment facility. Obviously, if not already done, environmental effects of different options also need to be assessed. Thank you for your consideration of these factors as you make the difficult choices associated with this complex situation.



Metapattern@aol.com

06/06/2006 12:04 PM

To plan@ci.lincoln.ne.us

cc council@lincoln.ne.gov, mayor@lincoln.ne.gov

bcc

Subject Sewage Plant By Wilderness Park

Dear Commissioners:

I don't remember anyone, during the Wilderness Park Subarea Plan process, indicating that it would be a good idea to build a sewage plant on a site that would drain into Salt Creek in the Wilderness Park area. This is a southeastern Nebraska treasure. What is the city thinking???? Why would the city, in the same year, put a proposal to buy new park land on the ballot while scheming to send treated sewage through a precious public forest? If this goes through, we should change the name of the city to "Backward, USA" because no truly forward thinking city would do this.

That anyone would propose this is outrageous enough, but I understand there has not been a thorough cost benefit analysis done to compare costs of expanding the current facilities versus building a new facility. There needs to be a thorough reporting of different pipe routing options and an itemization of their costs.

No acquisition of land should be authorized until the above has been done and made public. And, surely it would make more sense to keep the sewer plant discharge from moving through downtown Lincoln. No matter how safe the new plant might be, there is always the possibility of raw sewage making it into Salt Creek. How lovely that would be for the people and animals who depend on the Park and for the city of Lincoln as well.

Rebecca Williams  
16150 Wittstruck Rd  
Bennet, NE 68317





<jcoppie@alltel.net>  
06/07/2006 01:06 PM

To <council@lincoln.ne.gov>  
cc  
bcc  
Subject cost/benefit analysis

To the members of the City Council:

Please don't rush into buying land for a sewage treatment plant. A detailed cost-benefit analysis should be undertaken first, as well as further study of emerging trends in the industry, such as piping it to an enlarged Theresa St. site. which can be expanded.

I don't believe it is like purchasing land for a future school or library. Once this land is purchased, I believe the wheels will be set in motion to move ahead with it, whether the most current industry best practices support this option or not. I base this on having attended one of the public information meetings.

I have talked to neighbors and users of the levee trail. All were horrified at the thought of a treatment plant anywhere near the proposed site.

Requiring that sump pumps not be connected to the sewer system and encouraging more water saving measures could take much pressure off the current system.

Thank you for considering these issues.

Respectfully Submitted, Janine Copple



"Zemis Sedriks"  
<zemiss@hotmail.com>  
06/05/2006 10:35 AM

To council@lincoln.ne.gov, mayor@lincoln.ne.gov  
cc swinehart@alltel.net  
bcc  
Subject Change of zone #06012

Dear Council Members and Mayor Seng,

I am writing to ask you to please vote downchange of zone #06012. Our neighborhood has worked hard to express just how much the proposed commercial encroachment will negatively impact us. Our concerns are valid and should be given greater weight considering we have to live here. Zoning impacts property values and those of us who actually live here care about the future of our neighborhood. In addition, during the charrette a public staffer recognized they do anticipate greater accidents on Hill St. between 9<sup>th</sup> and 10<sup>th</sup>. This is not the recipe for keeping our neighborhood intact.

Make no mistake; no one cares more about this area than those of us who choose to live here. We voted with our dollars when we bought our houses. The prima facie factor told us we were moving into an existing neighborhood. Little did we know that houses were slowly being bought up right next to us by people who have no intention of living here. On the contrary, they plan to commercially encroach on our neighborhood despite the detriment this causes. It will be seen in the form of greater accidents on Hill St. It will be seen with depreciated property values.

These unintended consequences will be very real for us. The question to consider is whether or not those in the immediately impacted area will be able to sell their houses for as much as they otherwise would be able to, unless of course they have to sell out to developers. We beg you to not wait for the evidence to come in but to prevent this from occurring in the first place.

As far as tax revenues for the city are involved we appreciate seeing our city grow and prosper. It is possible to be pro-neighborhood and pro-business at the same time. During the charrette the issue was raised that representatives of B & J Partnership informed a local business owner that they will not put a Starbucks on 15<sup>th</sup> and South St if they are able to put one at 9<sup>th</sup> and Van Dorn. We request that you vote this down so that B & J Partnership develops where it is already a commercial area and the impact on property values will be negligible. We are an existing neighborhood and the impact on us will be felt for a longtime to come. You have competing duties to do the best thing for Lincoln in terms of maintaining our economic strength while at the same time having a balanced land use policy. If you make it clear to B & J partnership that this area is not suitable for development then they will have to consider their other options. When they build elsewhere Lincoln will still see the construction jobs and tax revenue, while at the same time the wishes of the neighborhood will have been respected.

One city council member remarked whether we are simply against the businesses moving in here. Our protest has nothing to do with any particular business; it is that this location is a very poor choice for a business. To thrive here as a specialty shop a business will have to

overcome many difficulties such as the inaccessibility posed by the limited entryways. The developers originally wanted traffic to enter in the middle of the block on 10<sup>th</sup> street. I believe it was traffic engineering that recognized what a bad idea this was. This is why most of the automobile access is directly on Hill St. For other failed specialty businesses nearby one need only look a little north where Jimmy Aces and the oil change store used to be. These single use shops don't thrive in part due to the location. Consumers want convenience and the access to this block is anything but. You may be doing B & J Partnership a favor if you vote this down as there is a considerable possibility that it will end up as another empty lot, never to go back to residential but instead be an eyesore for the neighborhood. During the charrette one woman stated in no uncertain terms that by rezoning it for commercial use would be rewarding the developers for allowing the properties to get run down in the first place.

The issue of congestion was also discussed during the charrette. When I asked about congestion on 9<sup>th</sup> between Van Dorn and Hill St the presenter answered in regards to 10<sup>th</sup> and Van Dorn. He suggested that the congestion on Van Dorn may be a wash as the turning lane will take some of the traffic off 10<sup>th</sup> and Van Dorn. This was an answer to a different question and did not speak to the current congestion in the other area.

Another suggestion to come out of the charrette was whether or not a roundabout was considered for this area. It was not. This should be further looked into as roundabouts can have a generally safer impact on traffic as it forces drivers to slow down and has a calming effect. This is the type of effect this area needs as many drivers are still experiencing velocitization as they enter this residential area coming in from Highway 2. Also the turning lane as it is currently proposed may simply encourage speeders to gun it as they don't have to slow down as one normally does for a right angle turn. The 10<sup>th</sup> and Van Dorn corner is like a balloon where we are pushing on one side only for the other side to push out. While at the same time encouraging greater traffic with a commercial center is simply inflating the balloon further. The neighborhood would like any change to our neighborhood be low impact in terms reducing congestion, not encouraging more.

Because Lincoln is a primary class city it is exempt from following Nebraska statute section 19-905 which provides property owners with extra protections against rezoning when greater than 20% of the property owners within 300 feet object. As a home rule city Lincoln has the ability to strengthen property rights. Lincoln should follow the intent of the law and pay greater deference to the people in the immediately impacted area as our wishes are very clear. Please look at the addresses of all of the petition signatures and other letters to see that most people in this area are opposed to the proposed development.

Our first petition request was to keep it residential and have the developers maintain their properties. In the first public hearing they stated they do not envision keeping it residential. Thus we then suggested green space which would potentially involve a land swap deal with public lands. It is appropriate to ask the public at large if they support such a use and therefore it is appropriate to gather their signatures as well. Voting this down and allowing commercial development elsewhere would be in keeping with what a comprehensive plan is supposed to be about: the public good, reducing congestion, the adequate provision of transportation and "to protect property against blight and depreciation." (NE statute 19-903). This development will

create a residential pocket between 8<sup>th</sup> and 9<sup>th</sup> that will likely wither over time and further carve away at our existing neighborhood.

Again, please follow the principles which limit commercial encroachment. Please encourage the good people at B& J Partnership to develop commercially in an area that is truly suitable for commercial. Encourage them to maintain their houses and if not please enter into some type of a land swap deal so that something that is low impact can be done with this area.

Sincerely,

Zemis Sedriks

2643 S. 10<sup>th</sup> St.

Lincoln, NE68502

(402)202-5289



"Donald Burt"  
<dburt@clinewilliams.com>  
06/04/2006 10:14 AM

To <council@lincoln.ne.gov>  
cc  
bcc  
Subject B & J Partnership \* 9th-10th St Development

Dear Council Members

I write to support the application of B&J Partnership to develop the area in the South 2700 blocks of 9th and 10th Streets. B&J is well known in our City as a developer of quality, community-oriented projects, and this proposed project would restore a blighted and unsightly area, as well as enhancing the economic viability of this area of our City. I heartily endorse this project and urge you to support it. Regards, Don Burt

Donald F. Burt  
For the Firm

Cline, Williams, Wright, Johnson and Oldfather, L.L.P.

1900 U.S. Bank Building  
233 S. 13th Street  
Lincoln, NE 68508  
(402) 474-6900  
dburt@clinewilliams.com

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JUN 05 2006

CITY COUNCIL  
OFFICE

NEBRASKA CENTER FOR ENTREPRENEURSHIP

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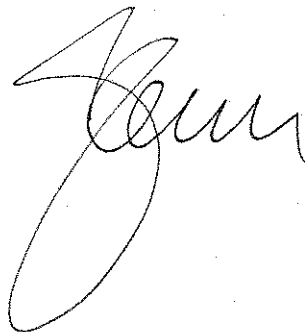
TO: ANNETTE, DAN, JON, JONATHAN, KEN, PATTE, ROBIN  
FROM: GLENN A. FRIENDT  
SUBJECT: "WHAT'S RIGHT ABOUT WAL-MART"  
DATE: 6/1/2006  
CC: MAYOR COLLEEN SENG

---

It has only taken 20 years for most to forget that early on, Sam Walton and Wal-Mart were hailed as the retail savior of rural America. Wal-Mart's first several hundred stores were in small towns whose main streets were deserted and most store fronts boarded up. Even Sears, JC Penney and True Value Hardware had left for the "big city".

I hope you will find the attached business editorial by Jack and Suzy Welch a stimulating entrepreneurial counterpoint to many of the socio-political views on Wal-Mart. For all of our sakes we need the entrepreneurial spirit and American Dream to stay kindled.

Otherwise, we may see city councils' jobs outsourced to third world countries.





# Ideas The Welch Way

BY JACK AND SUZY WELCH

RECEIVED

JUN 05 2006

CITY COUNCIL  
OFFICE

## What's Right about Wal-Mart

Is Wal-Mart a force for good or evil in the world?

—Anonymous, Exeter, N.H.

We have heard this question again and again in recent months, but it was posed perhaps most fervently by the high school student above. He added: "You claim business is good for society—but Wal-Mart destroys it."

Destroys it? No way.

Maybe it's politically incorrect these days to say this, but Wal-Mart helps individuals, communities, and whole economies prosper.

Without question, Wal-Mart is huge and getting more so. Its business model is threatening to rivals and its purchasing power frightening to suppliers. But that doesn't make Wal-Mart bad—just a fat target for critics who, for reasons of their own, won't concede how Wal-Mart improves lives.

Take individuals. Most obviously, Wal-Mart's prices have a positive impact on the quality of life of millions of consumers. No other retailer offers so many good products for so little, from groceries to school supplies to medicine. The net effect: Wal-Mart does more to hold down household expenses than any social or government program.

In addition, Wal-Mart provides its employees with tremendous access to upward mobility, even those with modest educational credentials. There are stories galore of employees who started on the floor or as cashiers and worked their way up to management positions. And with Wal-Mart's international growth, you are now seeing career paths that can start in merchandising in Texas, move to logistics in Arkansas, and end up in divisional leadership positions in Europe and Asia. Only the military rivals Wal-Mart when it comes to providing training and opportunity for individuals who have no other way to break out of a paycheck-to-paycheck lifestyle and into a whole new world of possibility.

Wal-Mart's low prices and large workforce, of course, have a cumulative effect on the local and national economies where the company operates. Low prices keep inflation down, while the employees' purchasing power keeps demand high.

This is evil?

There are critics who claim that Wal-Mart destroys communities by wiping out mom-and-pop stores—the little pharmacies, hardware, and grocery stores—that took much better care of customers and employees. These critics are nostalgic for a time that never was.

Yes, Wal-Mart has meant the end of many local stores. And

yes, at some of them, customers might have been greeted by name when they walked in the door. But those customers chose to shop at Wal-Mart when it came to town because low prices, apparently, meant more to their quality of life than a wave and a smile. No conspiracy, just the free market at work.

**AS FOR TAKING BETTER CARE** of employees—nonsense. In most small towns the storeowner drove the best car, lived in the fanciest house, and belonged to the country club. Meanwhile, employees weren't exactly sharing the wealth. They rarely had life insurance or health benefits and certainly did not receive much in the way of training or big salaries. And few of these storeowners had plans for growth or expansion: Their lives were nicely set. That was good for them but a killer for employees seeking life-changing careers.

Critics also lambaste Wal-Mart for being brutal to its suppliers. Be it swing sets or beef jerky, you sell to Wal-Mart on its terms, or you don't sell at all.

We'd say this is pretty true. Wal-Mart's huge market share gives it enormous leverage. One of us (Jack) negotiated for decades with Wal-Mart buyers at General Electric, and they were never unethical or unfair. Just tough. GE won plenty of rounds and lost a few. But losing had its upside. It forced GE to look inside to see how it could do its job better by lowering manufacturing costs, for instance, or being more flexible in how a product was packaged.

Ultimately, prices stayed low, and the customer won. And that is what drives Wal-Mart—keeping its customers satisfied—and why it keeps increasing sales and profits.

Yes, there will be "casualties" of Wal-Mart's success: competitors that fold, jobs lost. But in that way, Wal-Mart is no different than Toyota.

When Toyota arrived in the 1970s, it was accused of upsetting the status quo. Decades later most people accept that Toyota simply had a better way of doing business. Its value proposition to consumers was a wake-up call to the auto industry, raising standards and requiring companies that had lost their edge to reinvent themselves and start making better cars for a lot less. And that's the Wal-Mart story. It's a great company that helps consumers win and employees grow. And as long as it does, it will, too. ■

*Jack and Suzy Welch are co-authors of the best-seller **Winning** (HarperCollins 2005). They look forward to answering your questions about business, company, or career challenges. Please e-mail them at [thewelchway@businessweek.com](mailto:thewelchway@businessweek.com).*

PHOTOGRAPH BY BRAD TRENT

RECEIVED  
JUN 05 2006  
CITY COUNCIL  
OFFICE

June 2, 2006

Lincoln NE City Council,

This letter is in regards to the Southwest Village development, mainly the 3 Big Box stores that are proposed for Hwy 77 and West Denton Rd. I think that the proposed 800,000 sq ft of retail space is too much and uncalled for. There is a new super center in Beatrice, a new super center going up in Crete and a super center in Seward. I hardly think one more super center is needed in this location to attract customers from the south and west. They are supposed to drive past there own super centers just to shop at Lincoln's.?

There are currently 14 Big Box stores and 6 large specialty stores in the city of Lincoln, NE for a total of 2,672,719 sq ft of retail space. This does not count the many occupied and unoccupied strip malls and stores included in the commercial centers around town. The proposed Southwest Village development wants to add another 800,000 sq ft of retail space. Westfield Shopping Town is 975,000 sq ft with 107 stores. South Point Pavilion is 450,000 sq ft with 40 stores. The developers want to build 800,000 sq ft with only 3 stores! That is unacceptable to me and I am very disappointed that you would consider such a large development for this area. These Big Box stores will undoubtedly take business from South Point and Coddington Market, and in all likelihood close a few of the stores located in these locations.

The website Sprawl-Busters.com published an article entitled "The Case Against Sprawl". The article states that America is drowning in retail glut. The massive invasion of overstuffed retail stores is a hands-on environmental economic and social issue which has provoked a widespread citizen response. These issues are:

- The impact of traffic on air quality standards
- The threat to water quality and aquifers
- The mismanagement of storm water and sewage
- The reduction of wildlife habitat
- The loss of open space and unique natural areas
- The homogenization of rural landscapes
- The expense of costly new infrastructure
- The deterioration of historic commercial centers
- The overdependence on the automobile and superhighways

"Sprawl" is defined by the Nation Trust for Historic Preservation as "poorly planned, low-density, auto-oriented development that spreads out from the center of communities." It creates that doughnut effect in some cities where acrylic and asphalt suburban shopping malls form a ring around the dead center, where the old downtown sits decaying.

The article also states the 10 sins of retail sprawl:

- It destroys the economic and environmental value of land.
- It encourages an inefficient land-use pattern that is very expensive to serve.
- It fosters redundant competition between local governments, and economic war of tax incentives.
- It forces costly infrastructure development at the edge of towns.
- It causes disinvestment from established core commercial areas.
- It requires the use of public tax support for revitalizing rundown core areas.
- It degrades the visual, aesthetic character of local communities.
- It lowers the value of other commercial and residential property, reducing public revenues.
- It weakens the sense of place and community cohesiveness.
- It masquerades as a form of economic development.

The Big Box corporations lay the blame at our feet saying that most of what we buy is unplanned purchases and most of these products end up in the landfill. It might be said that as our lives become emptier, our shelves become fuller. We purchase more of the Big Box merchandise and less at local retailers.

One major Big Box retailer was quoted as saying “one stop shopping”; you will owe your soul to the Company store.

America is over-built and over-stored. We have more than 4,000 abandoned shopping malls in America. We have more shopping centers than high schools. There are more than 20 sq ft of retail space for every person living in America.

The author Jane Jacobs wrote: “Everyplace becomes more like every other place, all adding up to no place.” Big Box retailers are turning America into a continuous landscape of one-story, pre-engineered, windowless metal frame buildings sitting on concrete slab foundations. Such buildings can simply be described as “dead architecture.”

There is also “sprawl-math” used by large retail companies. It is a form of developer’s calculator that had no minus pad to subtract out jobs lost, or revenues diverted. These companies represent a form of economic displacement, not economic development. Sprawl-math is inevitable. When you oversupply an area with retail glut, you don’t create jobs, you destroy them.

The article written by the American Independent Business Alliance – Littering the West with dead malls and vacant superstores [K-Mart @ 56<sup>th</sup> & Hwy 2] - states that compounding the problem of having more retail space that residents can support, corporate chains reinvent themselves every ten years or so, abandoning existing outlets for new formats. America is now over-retailed. Rather than becoming victims of corporate cannibalization, many communities are barring construction of new big box stores and zoned commercial growth and shifting tax dollars to their infrastructure and supporting existing commercial areas.

The Southwest Village development will result in increased traffic, noise, litter, light pollution. Increased police and fire calls. The citizens of Lincoln will not pay to have a new park and hiking trails along south Lincoln corridor, but they will pay to have new infrastructure for 800,000 sq ft of unneeded retail space.

Sprawl, economic development, new urbanism. It is all too much and we don't need it. How about we get the car to stop driving the teenager and we get back to the teenager driving the car.

Thank you,

Jennifer Sheaff  
7601 Bobcat Circle  
Lincoln Ne 68523-9008



# Artificial light worries scientists who study nocturnal creatures

BY PAT BRENNAN

The Orange County Register

SANTA ANA, Calif. — Mockingbirds sing all night long. Mountain lions take wide detours around the wildlife crossings they're supposed to be using.

And two species of nocturnal snakes slither quietly toward oblivion in the scrub lands of Orange County, Calif.

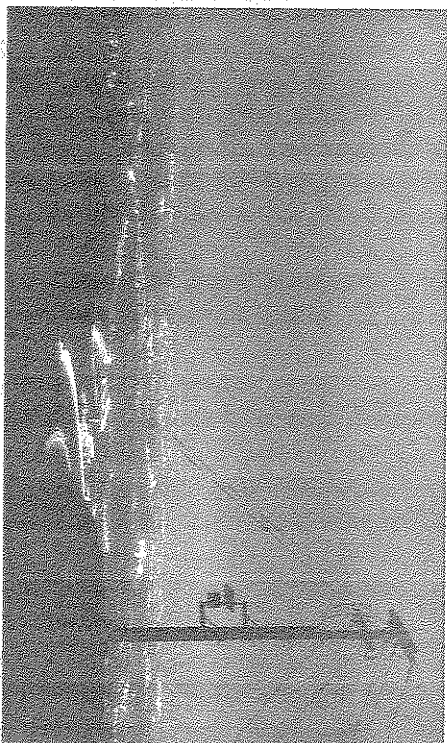
The reason?

The nights have grown far too bright.

That's the message delivered powerfully in a new book, "Ecological Consequences of Artificial Night Lighting" — maybe not in Opus's book club, but for many scientists trying to preserve native wildlife, a must-have.

A product of four years' labor, the book pulls together the latest scientific findings on effects of nighttime light on wild species across the planet.

Astronomers and back-country adventurers have long complained about growing levels of light pollution. But the new book is among the first to explore the ecological



A view from Park Ridge Road in Newport Beach, Calif., shows Orange County lights in the night sky in February.

RYAN HODGSON-RIGSBEE/Orange County Register

consequences.

"There are almost no dark places in Orange County," says U.S. Geological Survey research scientist Robert Fisher, a co-author of the chapter on reptiles.

"The only dark places on the coast are on Camp Pendleton. And

even there, you're getting glare from L.A., Orange County, San Diego and Riverside."

A surprising number of creatures, and even plants, appear to suffer debilitating effects from the glow of civilization. Sea turtles lose their way laying eggs on the beach.

Migrating birds crash into lighted towers.

Salmon halt migrations in mid-stream. Bats outcompete other bats for insects, tipping the ecological scales. Owls might spook flocks of crows too soon, repeatedly missing a favorite meal.

The chapter written by Fisher and Texas Tech University biologist Gad Perry focuses on the California glossy snake and the western long-nosed snake. They make their living hunting small creatures by night. Other creatures hunt them.

"When it's bright, they're always at a higher risk of predation," Fisher said.

"On the converse, if you're a snake feeding on rodents, the rodents are most active when it's darkest. If there's a higher predator risk, they go away. Then you're going to go away because your food's gone."

Fisher says both snake species survive in other areas, but are dwindling alarmingly in Orange County and may be headed for local extinction.

Light pollution is the prime sus-

A surprising number of creatures, and even plants, appear to suffer debilitating effects from the glow of civilization. Sea turtles lose their way laying eggs on the beach. Migrating birds crash into lighted towers.

pect.

Mammals such as mountain lions — not endangered but likely growing increasingly scarce in the Santa Ana mountains — also appear to avoid nighttime lights, according to Paul Beier, a well-known mountain lion researcher who once tracked the big cats in and

## Oakland levies tax on trash from fast food

The Associated Press

OAKLAND, Calif. — Fed up with burger wrappers, french fry containers and paper cups, Oakland is the first city in the nation to force fast-food restaurants, convenience stores and other businesses to help pay for cleaning up street trash.

Under a tax approved Tuesday night by the City Council, businesses will be assessed between \$230 and \$3,815 annually, depending on their size. More than three-quarters of the affected businesses would pay the minimum fee, which amounts to 63 cents a day.

"I don't think that's too much to ask so neighbors don't have to keep picking up trash from their doorways," said Councilwoman Jane Brunner, who proposed the measure.

The city would use the projected \$237,000 a year to hire small crews to pick up litter in commercial areas around high schools and middle schools where most of the garbage is found.

The fee was opposed by the Metropolitan Oakland Chamber of Commerce and business groups.

Recent surveys show that fast-food packaging makes up about 20 percent of all litter, with chip bags, drink containers, candy wrappers and other snacks composing another 20 percent.

**RE: Meeting This City's Future  
Transportation Needs**

June 3, 2006  
RECEIVED  
JUN 05 2006  
CITY COUNCIL  
OFFICE

**From: Ron Davis**  
**3405 Holdrege Street -#201**  
**Lincoln, NE 68503**

**Mayor Coleen Seng**  
**Mayor's Office**  
**555 S 10<sup>th</sup>**  
**Lincoln, NE 68508**

**City Council**  
**City Council's Office**  
**555 South 10<sup>th</sup> Street**  
**Lincoln, NE 68508**

**Mr. Abbott, Dir./Mr. Worth, Mgr.**  
**StarTran-Public Works & Utilities**  
**710 "J" Street**  
**Lincoln, NE 68508**

**Dear Mayor Seng, City Council, and StarTran officials:**

While the purposes that I am writing this brief letter, (and thus the associated topic being covered herein), might seem like it is only about a very narrow subject matter, still to me it covers a subject matter that has much longer and larger term implications to it which thus has led me to send this to a larger group of people than just you three addressed above. For to me, the petroleum crisis that we currently find ourselves entrapped within is one which I do not see any quick and easy answers with respect to how we might escape from this problem of higher gas and oil prices that will continue to present many Americans with some difficult choices in which to make within the upcoming days. Thus, I hope you will bear with me as I address my thinking with respect to what the City of Lincoln should do in the future in meeting the transportation needs of its residents as a whole. For I believe that the temptation of trying to find "quick fixes" in regards to getting around this City's current budget problems and lack of revenues in which to meet our financial needs are ones that need to be avoided, (if at all possible). And the reason that I state this is simply due to the fact that what our country is now going through, (which is a form of a rehabilitation plan that will cause us to become less dependent upon using so much oil and gas in the future and thus needing to use our heads more and pocketbooks less), is one which I think the State of Nebraska should meet head on. Now being a person who has to deal with a number of physical handicaps at present, (such as poor eyesight, bad back, lack of coordination to a certain degree, and frequent migraine headaches), personally I do not know what I would do if StarTran was not able to furnish us the good service that they do. And one of the reasons that I write this is because as good as StarTran's services are, our taxicab service here in Lincoln is alike StarTran, but in the opposite direction.

Now ideally, it would be nice to have both a good taxicab service in Lincoln for its residents, (which could only be accomplished by having two independently or more run taxicab services instead of just one), and a good StarTran bus service, (which I think we already have). But since I am painfully aware that there are those on the City Council who see the opportunity to cut this City's bus services in order to save money for people who have to pay a lot of taxes, (and thus means they make a lot of money), I hope that you will take into consideration what I am writing to you about within this letter. For people like myself, (plus all of those people with bad handicaps too that I have come to love and respect over the past 6+ years), need your help in maintaining what really is the only good service for a person like myself to get around. And while I know that people like Representative Tom Osborne, (who means to do well), lean a lot more towards helping people out who are not as bad off financially or health-wise as I and my friends are who ride the bus a lot, still people like Tom Osborne can sell a second home that he recently announced he was going to do or he can take big hits in the stock market where he lost so much money investing in Enron several years ago because he has the ability to make a lot of money. But to people like myself, as much as we might try to do better—finance-wise, there are still enough people out there who would prefer to see us kept in check. Thus, I hope that you will take these things into consideration once you decide what you are going to do about StarTran's budget and its service for this upcoming year.

Now along with this brief letter, I am also sending you a copy of a news article about a big winner in "Powerball" and a letter about another very greedy person who obviously does not care how much of a

*conflict of interest* that he has in being such a large shareholder, a close friend of Warren Buffett, and the leading counsel for Berkshire Hathaway as a whole. And the reason that I am doing this is because I wanted to give you a good example of several people who have a “need for greed” and then compare it with another nice person who thinks in a completely different way. Of course the article that I have copied which highlights your property taxes going up a whopping 15.2% this year while you still are taking this kind of increase in property taxes in stride does a lot to help comfort me that not everybody is as greedy as Warren Buffett and Walter Scott are in this State. And while I wish that I could say the very same thing about those who represent us in Washington, DC too when it comes to helping out those who work as such difficult jobs here in Nebraska, (and who are Hispanic), unfortunately the only one that I see standing up for these people among our five U.S. Congressmen in Washington, DC is U.S. Senator Chuck Hagel. At any rate, please know that I do not pass out compliments that easy to people, (unless they earn these compliments that I give them). For people like Charlie Munger are no different in my mind than blood-sucking leeches are to living matter that they are attached to. In other words, the reason that I wanted to copy the article about Charlie Munger is because people like him, (as well as his fellow partners who also sit on numerous Board of Directors at Munger, Tolles, and Olson), do so realizing that they are exposing themselves to numerous lawsuits if we ever had a Justice system that enforced such things as “fiduciary responsibilities” for a Board of Directors to follow. Because I still believe that it is the responsibility of all Board of Directors to act in a fiduciary manner in protecting all of their stockholders and their employees best interests and not just their own. But since we do not currently have such a Justice Department, it is the Warren Buffetts, the Walter Scotts, and the Charlie Mungers that get away with all of these illegal acts that they keep doing in order to make themselves richer at other people’s expense. Now the other copy of a news article that I am enclosing with this letter shows John and Despina Kazas as they were announcing the sale of their restaurant to the owner of Wasabi. For I have been in Papa John’s Greek Restaurant on more than one occasion these past 5 years when a customer did not have enough money on them in order to order something to eat when Papa John told the cashier that it was O.K. to let this person have what he wanted. And so, once again I want to commend those within Lincoln who do the little things to make those who are considered “little people” by most of the ones who sit in high places as being someone that is important to them too. For we know by reading the Holy Bible who God thinks are the ones that are important within this world. For the Blessed Virgin Mary tells us in St. Luke 1:51-53 that:

***“He has performed mighty deeds with his arm; He has scattered those who are proud in their inmost thoughts. He has brought down rulers from their thrones but has lifted up the humble. He has filled the hungry with good things, (along with Papa John and Mrs. K), but has sent the rich away empty.”*** NIV

And likewise, we also know that from reading passages like 1 Timothy 6:10 why wicked people as Warren Buffett, Walter Scott, and Charlie Munger deceive people with their fraudulent accounting works, while they practice insider trading so much, and while they also accumulate so much money in such illegal ways. For it is written within this passage that:

***“For the love of money is a root of all evil. Some people, eager for money, (as Warren, Walter, and Charlie are), have wandered from the faith and pierced themselves with many griefs.”*** NIV

Thus, it is my sincere hope that you will think hard about whether the current StarTran services should be restricted more or not. For many of us depend on this good bus service a great deal in order to get around. Now along with pointing these things out, I also want to point out a misconception that I think many people have about being rich in money. For while it is much better to be rich in good works than just rich in money, still Jesus never hesitated to show Himself a Friend to both the poor and the rich, (if the rich had their money without holding it in such high regard). For instance, when Jesus saw the wealthy tax collector named Zacchaeus up in a sycamore tree, He did not pass this one by, but merely told Zacchaeus to come down and meet Him. For as Jesus told Zacchaeus in St. Luke 19:5:

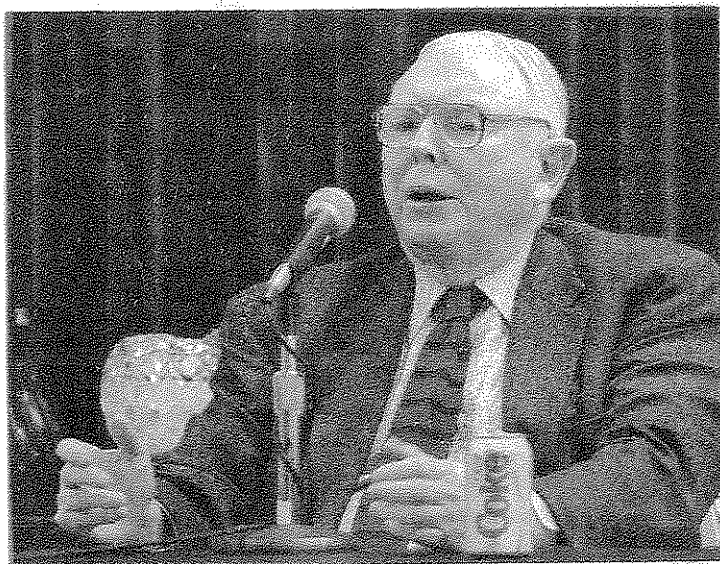
***“Zacchaeus, come down immediately. I must stay at your house today.”*** NIV

In other words, Jesus didn’t go to wealthy people’s houses like what Zacchaeus had, He did not get invited

to eat at Lazarus' house for dinner that was to honor Him and show up at this dinner by mistake, (see St. John 12:2). But rather Jesus took time to make friends with these people because He loved them even though they had a lot of money. In other words, having a lot of money does not make one ineligible to be called a Christian in and of itself. Of course Jesus was also buried for three days in a rich man's tomb too. But if one uses his or her riches just for this person's own sake, (or else keeps so much money because they think this is what they should depend on in life), then having a lot of money is not a good thing to have. Well, this is all that I have to say here. Do not worry about what David Sokol and Walter Scott will think about what I wrote about them in this letter. For they know what I think and why by now, (and for that matter, even Warren Buffett knows what I am like by now). So it should come as no surprise to them that I think they need to clean up their act and get an independent law firm to represent all of the stockholders in Berkshire Hathaway and not just the privileged few that make up all of the rules for their stockholders and employees to follow, (whether they are honest ones or not). And the good people here in Nebraska do not need a very biased law firm representing this company which just basically rubber stamps everything that Walter and Warren want them to do.

Ron Davis, (a past acquaintance of David Sokol and Walter Scott yet certainly not a friend of Warren Buffett or David or Walter)

**The Picture Below is Of the Greedy Charlie Munger From the May 28, 2006 Lincoln Journal Star**



NATI HARNIK/The Associated Press

Berkshire Hathaway vice chairman Charlie Munger speaks earlier this month in Omaha after the Berkshire Hathaway shareholders meeting.

### **Charles T. Munger**

**Born:** Omaha, Jan. 1, 1924

**Graduated:** Central High School, 1941

**Attended:** University of Michigan, Cal Tech

**Service:** U.S. Army Air Corps., World War II, 2nd lieutenant and meteorologist

**Graduated:** Harvard Law School, 1948

**Practiced law:** Los Angeles, 1948-1965

**Founder:** Munger, Tolles & Olson law firm

**Since 1975:** Primarily occupied as a director and officer of Berkshire Hathaway Inc. and various subsidiaries

**Vice chairman:** Berkshire Hathaway Inc.

**Chairman:** Wesco Financial Corp., Good Samaritan Hospital

**Director:** Berkshire, Wesco, Daily Journal Corp, Costco Wholesale Corp.

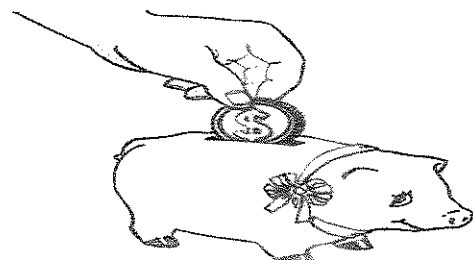
Source: Office of Charles T. Munger

Obviously I am hopeful that my calling Charlie a bloodsucking leech properly represents him. For I would not want to offend anyone at Berkshire Hathaway's upper management, (which is why I thought that I would send them a copy too).

# The Wealth Builders

## THE NEED FOR GREED

These are the kinds of people we create when those who are billionaires go around bragging about that fact.



# Powerball winner comes out of hiding

Idaho man says he'll parlay millions into billions ... and a bike.

BY CHRISTOPHER SMITH  
The Associated Press

BOISE, Idaho — A 33-year-old Idaho man who won a \$220.3 million Powerball lottery jackpot on Memorial Day weekend came out of hiding Thursday, saying he planned to use the money to build a \$1 billion portfolio within 15 years.

"What better opportunity to have than me at my age with this money to build a billion-dollar empire to take care of my family and to give opportunities to the people who have given me opportunities," Brad Duke, a regional fitness director for a chain of health clubs, told The Associated Press.

Duke, an unmarried former Boise State University pole-vaulter whose garage contains five mountain bikes, chose to take a one-time lump sum payment of \$125.3 million, rather than the 30 annual installments of \$7.4 million. That works out to approximately \$85 million after taxes.

He has assembled a team of legal, financial and public relations advisers to make business investments and charitable donations, and he is considering appearances on a reality television program.

Quite a change for someone

who initially asked Idaho Lottery Commission officials for complete anonymity.

"It would have been nice for me to take care of my family without making it a big thing in their lives, but we all came to the realization that would be impossible, so if that's the way it's going to be, let's have fun with it," he said before traveling to New York City for a series of television talk show appearances.

Idaho Lottery Commission officials had denied his request to remain anonymous, arguing that state law and the integrity of the lottery required that his name be made public to show he had no ties to lottery employees or vendors.

Idaho Lottery Director Roger Simmons said Duke's winning ticket was verified Thursday and the check is on its way.

Although Duke told his father and sister about the lottery win, the rest of his family in his hometown of Salmon in the central Idaho mountains was unaware of his good fortune until Sunday, when he persuaded them to meet in Sun Valley to hear the news.

"He's got a pretty dynamic way about him where his goal always was to be a millionaire and retire by the time he was 40," Duke's sister, Parti, said Thursday. "He's going to hit that a little earlier now."

Other than scouting around for a high-end racing bicycle, Duke has no plans for any large purchases.

"One of my goals is keeping my feet on the ground, not forgetting who I am and where I came from and staying active in the things I like now, like biking, the fitness industry, camping and rafting with my friends," he said. "Keeping my feet on the ground does not include going out and buying a yacht."

He also has no marriage plans or prospects.

"Let's say I'm waiting for Angelina Jolie to call," he said. "If the right scenario presents itself, that's great, but I'm not trying to go there right now because my goal is get through this first phase with a clear head."

His jackpot is the second-largest single-ticket win in the history of Powerball, a Des Moines, Iowa-based lottery played in 27 states, including Nebraska, the District of Columbia and the Virgin Islands. He bought the winning ticket May 28 at a Boise convenience store.

But Duke didn't realize he won until Memorial Day.

"After I spent what seemed like an hour staring at that screen from one centimeter away, I figured I better go to the lottery commission of-

fice," he said. "But my vehicle was out of gas."

At a nearby gas station, he asked a clerk to run his lottery ticket through a vending machine to verify it. When the clerk began screaming and dancing when the ticket was validated as a winner, Duke grabbed the ticket and quickly drove to Idaho Lottery Commission headquarters.

"So there I was, standing on the steps with a ticket in my hand worth \$220 million, and they were close because it was Memorial Day," he said. "Then it dawned on me that I may not have paid for my gas."

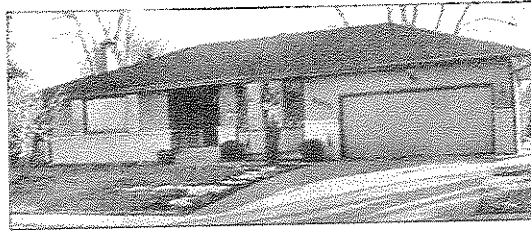


DUKE

This is the making of another Warren Buffett. Just what we need—a Warren Buffett the 2nd!



These are a few articles about some good people who have their heads screwed on the right way here in Lincoln!



Coleen Seng, 6101 Walker Ave.  
Former value: \$139,100  
New value: \$160,286



SENG

Even the mayor was a little surprised to see the value the assessor put on the 1950s, ranch-style home she has lived in since 1963. The new value is more than \$21,000 higher.

"That's quite a hefty jump," Seng said.

But she assumes the county found comparable home sales to justify her new value, and she has no plans to protest the figure.

She was more puzzled by the nearly \$13,000 drop in the value of her 1930s-era apartment building north of Nebraska Wesleyan University.

"I think I have more questions about that," she said.

The five-unit building was built by her father-in-law. She's been concerned in the past as she watched its value steadily rise. A few years ago, she protested the value placed on the building, to no avail.

She's not immune to the occasional headache over property taxes, but does the prospect of increased taxes ever cross her mind when she's in the throes of budgeting — as she has been in recent months? No, she said, she separates the two.

"It depends whether we want good service, and if we want good service, then we have to pay for it," she said.

Does she intend to make use of the hefty increase in property value in Lincoln to help balance the city's budget?

"I guess you'll find out on June 26," she said. That's the day she releases her budget to the public.

## Hagel: Openness needed.



HAGEL

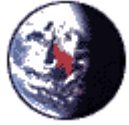


John Kazas and wife Despina in their downtown eatery Papa John's. The Kazas are selling the restaurant to the owner of Wasabi!

Did you know that I could often get a free sugar cookie from John just by telling him his food was good, (which was the truth)!?

Is this open enough, Senator Hagel?  
Don





"Larry Zink"  
<zinklarry@gmail.com>  
06/07/2006 09:20 AM

To council@lincoln.ne.gov, mayor@lincoln.ne.gov  
cc  
bcc  
Subject Sidewalks and the Proposed CIP

Mayor Seng and Members of the Lincoln City Council:

The Lincoln Neighborhood Alliance wishes to express our concern about the lack of funding for sidewalks in the current Capitol Improvements Program. The LNA Plan for Action calls for the city to improve the repair backlog from the current forty year schedule to a more reasonable ten year schedule.

Sidewalks are a very important infrastructure and need for all of our neighborhoods - whether children on their way to school or adults on their way to work, church, or shopping. Good sidewalks increase safety and mobility. The Lincoln Neighborhood Alliance urges you to increase the funding for this important community need.

Thank you for your consideration and support,

--

Larry K. Zink  
For the Board of the Lincoln Neighborhood Alliance

4926 Leighton Ave.  
Lincoln, NE 68504  
402-464-6937

**A D D E N D U M**  
**T O**  
**D I R E C T O R S ' A G E N D A**  
**MONDAY, JUNE 12, 2006**

**I. MAYOR -**

1. NEWS ADVISORY - RE: Mayor Seng's Public Schedule Week of June 10 through 16, 2006 -Schedule subject to change.
2. Letter from Mayor Seng to Dr. E. Susan Gourley, Superintendent % Dennis Van Horn, Lincoln Public Schools (LPS) - RE: Arnold Elementary Land Acquisition Proposal.

**II. CITY CLERK - NONE**

**III. CORRESPONDENCE**

**A. COUNCIL REQUESTS/CORRESPONDENCE - NONE**

**B. DIRECTORS AND DEPARTMENT HEADS -**

**PLANNING**

1. Material from Marvin Krout - RE: Annexation #05004 & Change of Zone #05022, (Bill #06-93 & 06-94 - 1<sup>st</sup> Reading on June 12, 2006).

**C. MISCELLANEOUS - NONE**



# NEWS ADVISORY

MAYOR COLEEN J. SENG

[lincoln.ne.gov](http://lincoln.ne.gov)

Date: June 9, 2006

Contact: Diane Gonzolas, Citizen Information Center, 441-7831

## **Mayor Seng's Public Schedule** **Week of June 10 through 16, 2006** *Schedule subject to change*

### Saturday, June 10

- Veterans Memorial Garden 17th anniversary event, remarks - 10 a.m., Antelope Park Bandshell
- LifeLong Living Festival featuring Art Linkletter, remarks - 11:30 a.m., Abbott Sports Complex, 7600 North 70th Street
- WaterFest water awareness event, remarks - 5 p.m., near main shelter at Holmes Lake Park
- 60 Years of Girl Scouting celebration, remarks - 7 p.m., Laurine Kimmel Lodge, Nebraska City, Nebraska

### Sunday, June 11

- First United Methodist Church Farewell to Rev. Dr. Ed Bonneau, Key to the City and proclamation - noon, 2723 North 50th Street
- Girl Scouts Annual Silver and Gold Awards, remarks - 2 p.m., State Capitol Rotunda
- Fund-raiser for Mike Pittz, President, Lincoln Central Labor Union, proclamation - 5:30 p.m., Lincoln Firefighters Reception Hall, 241 Victory Lane

### Monday, June 12

- Mayor's Award of Excellence - 1:30 p.m., Council Chambers, 555 South 10th Street

### Tuesday, June 13

- News conference, Summer Food Service Week and awards for Clean Your Files Week - noon, Salvation Army, 2625 Potter
- Mayor's Multicultural Advisory Committee meeting - 3:30 p.m., Mayor's Conference Room, 555 South 10th Street
- Jazz in June - 7 p.m., Sheldon Memorial Art Gallery and Sculpture Garden

### Wednesday, June 14

- Planning Commission discussion, "Market Driven Urban Retail Planning and Development" - noon, room 113, 555 South 10th Street
- Community Health Endowment Sixth Annual Meeting, remarks and awards presentation - 3 p.m., Cornhusker Marriott, 333 South 13th Street
- Mayor's Arts Awards, remarks - 6:30 p.m., Lied Center, 301 North 12th Street

- more -

**Mayor's Public Schedule**

**June 9, 2006**

**Page Two**

Thursday, June 15

- Grand Opening, Lincoln Arts Council's "Stories of Home" public art project - 5 p.m., Union Bank, 4243 Pioneer Woods Drive (70th and Pioneers)

Friday, June 16

- International visitors from Croatia, Romania and Denmark - 11 a.m., Mayor's Conference Room, 555 South 10th Street



File



# CITY OF LINCOLN NEBRASKA

MAYOR COLEEN J. SENG

lincoln.ne.gov

Office of the Mayor  
555 South 10th Street  
Suite 208  
Lincoln, Nebraska 68508  
402-441-7511  
fax: 402-441-7120  
mayor@lincoln.ne.gov

June 8, 2006

Dr. E. Susan Gourley, Superintendent  
% Dennis Van Horn  
Lincoln Public Schools (LPS)  
5901 O Street  
Lincoln, NE 68510

RE: Arnold Elementary Land Acquisition Proposal

Dear Dr. Gourley:

We have identified \$35,000 and \$75,000 of City Funds to pay for the schematic design of a joint use library and recreation center respectively. As a result, we are committed to proceeding with schematic design for these joint projects.

The City of Lincoln and Lincoln Public Schools have an existing "asset banking" agreement in place that could be used as an alternative to the City paying for the additional costs of the schematic design. The asset banking agreement was intended for this type and size of transaction.

Further, the City has identified a funding source to pay for its portion of the construction of the joint use library. It also appears that the City may be able to fund the cost of increasing the size of the gymnasium that will be needed for use in the recreation center. However, the recreation center, other than the gymnasium, will need to be built using bond proceeds from a voter approved bond election.

As a result, the schematic drawings will need to address the construction of the recreation center in two phases. The initial phase will be the construction of the larger gym and the second phase will be the completion of the remaining recreation center facilities at a later date.

The use of the asset banking agreement is the preferred method from the City of Lincoln's perspective to pay for these schematic design costs and Don Herz, Director, Lincoln Finance Department has discussed this with Dennis Van Horn.

Please let me know if you have any questions.

Sincerely,

Coleen J. Seng  
Mayor of Lincoln

cc: Lincoln City Council  
Marvin Krout, Tom Cajka, Steve Henrichsen, City-County Planning Dept.  
Karl Fredrickson, Roger Figard, Shane Dostal, City Public Works & Utilities Dept.  
Carol Connor, Mary Johns, Lincoln City Libraries  
Lynn Johnson, Terry Genrich, City Parks & Recreation Dept.  
Dennis Van Horn, Lincoln Public Schools  
Dwayne Odvody, Scott Wieskamp, Lincoln Public Schools  
John Wood, Jon Large, Lincoln Airport Authority  
Larry Potratz, Beverly Fleming, Lincoln Housing Authority

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# MEMORANDUM

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**TO:** Lincoln City Council

**FROM:** Marvin Krout, Director of Planning



**SUBJECT:** Annexation No. 05004 and Change of Zone No. 05022,  
(Bill ##06-93 and 06-94 - 1<sup>st</sup> Reading on June 12, 2006)

**DATE:** June 9, 2006

cc : Mayor Coleen Seng  
Tom Cajka, Planning  
Peter Katt

The above referenced annexation and change of zone requests for the Highland View development, generally located west of N.W. 12<sup>th</sup> Street between Highway 34 and W. Alvo Road, appear on the June 12<sup>th</sup> Council agenda for 1<sup>st</sup> Reading. The Factsheets are in your Council packets; however, the legal description for the annexation and change of zone have been revised and are attached for your information.



LOT 36 IRREGULAR TRACT, LOCATED IN THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 11 NORTH, RANGE 6 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 33; THENCE ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 33, N89°47'33"W, 1,324.31 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY 34; THENCE ON SAID NORTH RIGHT-OF-WAY LINE FOR THE NEXT 2 CALLS, N89°46'48"W, 12.70 FEET; THENCE WESTERLY ON A 11,634.16 FOOT RADIUS CURVE TO THE LEFT, AN ARC LENGTH OF 1,333.32 FEET (LONG CHORD BEARS N79°24'42"W, 1,332.59 FEET) TO THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 33; THENCE ON SAID WEST LINE, N00°27'18"E, 642.89 FEET; THENCE N90°00'00"E, 2,650.79 FEET TO THE EAST LINE OF SAID SECTION 33; THENCE ON SAID EAST LINE, S00°34'37"W, 892.62 FEET TO THE POINT OF BEGINNING, CONTAINING 2,178,018.49 SQUARE FEET (50.00 ACRES) MORE OR LESS.

N ↑

MANICHO MOTORS AND  
COPE

PURPLE HEART HWY.  
U.S. HWY 34

PRELIMINARY  
PLAT BOUNDARY

PRELIMINARY  
PLAT BOUNDARY

COOK, L. MERRILL

N00°27'18"E  
7,570.16'

N08°45'18"E  
12,270'

N08°45'18"E  
12,270'

LOT 5 117.

PRELIMINARY  
PLAT BOUNDARY

NW 12TH STREET  
PRELIMINARY  
PLAT  
BOUNDARY

NEBCO INC

NEBCO INC

HIGHLAND VIEW ANNEXATION  
AND CHANGE OF ZONE AG to R3

# PRELIMINARY PLAT BOUNDARY

BOYD, MICHEL L  
& BERNADETTE A

JANSEN, DONALD E  
# 47544

JENSEN, DONALD

# PRELIMINARY PLAT

## PRIMARY PLAT

PRELIMINARY  
PLAT  
BOUNDARY

NEBCO INC